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# Juristat

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## ADULT CRIMINAL COURT STATISTICS, 1998/99

by Julian V. Roberts<sup>1</sup> and Craig Grimes<sup>2</sup>

### HIGHLIGHTS

- In the fiscal year 1998/99, adult criminal courts in 9 provinces and territories processed 394,884 cases involving 840,539 charges. This represents a decrease of 4% in cases processed over the previous year. Since 1994/95, total cases have declined by 11%.
- *Crimes against the person* (e.g. robbery and sexual assault) accounted for 21% of the cases heard in 1998/99, and *Crimes against property* (e.g., break and enter and theft) accounted for 26%. The two most frequently occurring offences were impaired driving and common assaults, each accounting for 12% of cases.
- Persons aged 18 to 24 accounted for the highest percentage of *Crimes against property*, while the 25-to-34 age group accounted for the highest percentage of cases involving *Crimes against the person*.
- One third of cases (34%) were resolved within a month, and just less than half (45%) took more than one, but no more than eight months to complete in 1998/99. It took more than eight months and no more than twelve months to complete 12% of cases, and the elapsed time was more than one year in 10% of cases heard.
- A term of probation was the most frequently imposed sanction (42% of convicted cases). A fine was imposed in 40% of cases, and a term of imprisonment in 35% of cases.
- The proportion of cases sentenced to prison varies significantly across the country. In Prince Edward Island, almost two-thirds of convictions resulted in a term of imprisonment, while a term of custody was imposed in only one case in four in Saskatchewan.
- Analysis of sentencing trends over a 5-year period reveals that while the proportion of cases sentenced to prison has increased slightly, the lengths of prison sentences have increased substantially. The median length of prison sentence rose from 30 days in 1994/95 to 45 days in 1998/99. The greatest increases in sentence lengths were observed for assault, sexual assault, sexual abuse, and manslaughter.

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## INTRODUCTION

The court system is the heart of the criminal justice process. Courts are responsible for making a number of critical decisions about a criminal case. These decisions include the vital determination of whether the Crown has established the guilt of the accused beyond a reasonable doubt. For those offenders found guilty (or who plead guilty), the court will conduct a sentencing hearing to determine the nature of the sentence that will be imposed.

This *Juristat* summarizes trends from provincial/territorial courts across Canada which provided data to the Adult Criminal Court Survey (ACCS), for the 1998/99 fiscal year. At the present time, data are collected through the ACCS from seven provincial and two territorial departments of justice (**Box 1**). In this *Juristat*, information is presented on the characteristics of cases and accused persons, the number of appearances, conviction rates, sentencing trends and related issues. As well, for the first time, statistics are presented for a five-year period (1994/95 through 1998/99).

### Box 1 About the Survey

The analysis in this report is based on case characteristics data from the Adult Criminal Court Survey (ACCS). These data on federal statute charges disposed of in 1998/99 are collected by the Canadian Centre for Justice Statistics (CCJS) in collaboration with provincial and territorial government departments responsible for adult criminal courts.

The primary unit of analysis is the case, which is defined as one or more charges laid against an individual and disposed of in court on the same day. All case information is presented by "most serious offence", as described in the methodology section. The individuals involved are persons 18 years or older, companies, as well as youths who have been transferred to adult criminal court.

At the time of this report, adult criminal courts in seven provinces and two territories reported to the ACCS. Reporting jurisdictions include: Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon, and the Northwest Territories. In addition, Alberta reports Superior Court (Court of Queen's Bench) data to the ACCS. These jurisdictions represent approximately 80% of the national adult criminal court caseload. The information presented in this report covers only these nine participating jurisdictions.

## Sentencing Reform in Canada

In 1996, Bill C-41 was proclaimed. Bill C-41 constitutes the first major reform of sentencing in Canada's history. This Bill was the federal government's response to Commissions of Inquiry in the mid-1980s, including the Canadian Sentencing Commission and the Daubney Committee. Both of these groups produced reports that examined the sentencing process in Canada, and suggested possible reform options.

The sentencing reform Bill introduced a number of significant changes to the sentencing process. For example, the *Criminal Code of Canada* now includes a statement of the purpose and principles of sentencing. This statement is designed to guide trial court judges in their sentencing decisions. Bill C-41 also attempts to promote the greater use of alternative measures, particularly for individuals charged with relatively minor crimes.<sup>3</sup> The use of alternative measures may occur before or after the case comes to court and will include activities such as participating in an educational program or performing community service.

<sup>3</sup> For further information on the nature of the 1996 sentencing reforms, see J.V. Roberts and D. Cole (eds.) (1999) *Making Sense of Sentencing*. Toronto: University of Toronto Press.



As well, the 1996 sentencing reforms included the creation of a new sanction designed to reduce, in a safe and principled way, the number of offenders sentenced to prison. Judges in Canada now have the discretion to allow some offenders sentenced to terms of imprisonment to spend the sentence in the community under supervision. The offender who receives such a *conditional sentence of imprisonment* must abide by certain conditions, and may be sent to prison if he or she violates those conditions. Unfortunately, this *Juristat* does not include information on the use of this new sentence. The ACCS is currently being adapted to include the collection of data on conditional sentences of imprisonment.

## OVERVIEW OF TRENDS

**The number of cases heard in adult criminal court has declined, but the average number of charges per case has increased**

In 1998/99, adult criminal courts in 9 provinces and territories processed 394,884 cases involving 840,539 charges. The number of cases processed in 1998/99 represents a 4% decline over the previous year, and a drop of 11% since 1994/95. In part, this decline in prosecuted cases reflects the declining number of incidents reported to police.<sup>4</sup> Over the period 1994 to 1997, there was a 5% decline in the number of incidents reported to police in the same provinces and territories that report to the ACCS.

Almost all of the cases (89%) had a *Criminal Code* charge as the most serious charge in the case.<sup>5</sup> *Crimes against the person* accounted for 21% of the total number of cases in 1998/99, and *Crimes against property* accounted for a further 26% (Table 1). *Traffic-related offences* accounted for 14% of all cases, while the category *Other Criminal Code* (which includes weapons offences and public order offences, among others), accounted for 28% of all cases. The remaining (11%) arose with respect to *Federal statute offences*, which included *Drug-related offences* (5%), and *Other federal statutes* (6%).<sup>6</sup> There has been little change in recent years in the distribution of cases across different categories of crime. In 1994/95, *Crimes against the person* accounted for 20% of all cases, and *Crimes against property*, 27% of all cases.

While the number of adult court cases has declined significantly in recent years, the average number of charges per case has increased 8%, rising from 1.97 in 1994/95 to 2.13 in 1998/99. A majority of the cases (53%) contained a single charge, but the more complex and potentially more serious multiple-charge cases have been increasing over the past five years, from 44% of all cases in 1994/95 to 47% in 1998/99. In 1998/99, 27% of all cases involved two charges and 20% had three or more charges.

**Impaired driving and common assaults are the most frequent offences**

In 1998/99, the most frequently occurring offences were common assault<sup>7</sup> and impaired driving (each accounting for 12% of cases). The category of theft accounted for 10% of cases, while major assault accounted for just under 6% of

Table 1

### Cases heard in adult criminal court Selected provinces and territories in Canada, 1998/99

Offence Group	# Cases	%
<b>TOTAL OFFENCES</b>	<b>394,884</b>	<b>100</b>
<b>CRIMINAL CODE OFFENCES</b>	<b>350,850</b>	<b>88.8</b>
<b>Crimes against the person</b>	<b>82,097</b>	<b>20.8</b>
Homicide and related	480	0.1
Attempted murder	362	0.1
Robbery	4,691	1.2
Kidnapping	297	0.1
Sexual assault	6,140	1.6
Sexual abuse	1,360	0.3
Major assault	21,761	5.5
Abduction	147	--
Common assault	46,859	11.9
<b>Crimes against property</b>	<b>101,168</b>	<b>25.6</b>
Break and enter	14,268	3.6
Arson	619	0.2
Fraud	20,835	5.3
Possess stolen property	13,610	3.4
Theft	40,291	10.2
Property damage/mischief	11,545	2.9
<b>Other Criminal Code offences</b>	<b>110,940</b>	<b>28.1</b>
Weapons	7,501	1.9
Administration of justice	40,777	10.3
Public order offences	8,977	2.3
Morals-sexual	5,830	1.5
Morals-gaming	777	0.2
Residual Criminal Code	47,078	11.9
<b>Traffic-related offences</b>	<b>56,645</b>	<b>14.3</b>
Criminal Code traffic	8,488	2.1
Impaired driving	48,157	12.2
<b>FEDERAL STATUTE OFFENCES</b>	<b>44,034</b>	<b>11.2</b>
<b>Drug-related offences</b>	<b>20,166</b>	<b>5.1</b>
Trafficking	7,895	2.0
Possession	12,271	3.1
<b>Other federal statutes</b>	<b>23,868</b>	<b>6.0</b>

-- Amount too small to be expressed.

**Note:** Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

cases. Taken together, all forms of sexual assault and sexual abuse accounted for less than 2% of the federal statute caseload in adult criminal courts. In general, the less serious crimes account for a higher percentage of court cases. The

<sup>4</sup> See the methodology section for more details on the comparisons between the ACCS and the Uniform Crime Reporting (UCR) Survey.

<sup>5</sup> When a case has more than one charge, it is necessary to decide which charge will be used to represent the case. If the case includes a conviction, that charge will always be considered the most serious. The most serious offence in a case with multiple convictions is determined based on the type of convicted offences and the sentences imposed. See the methodology section for more details.

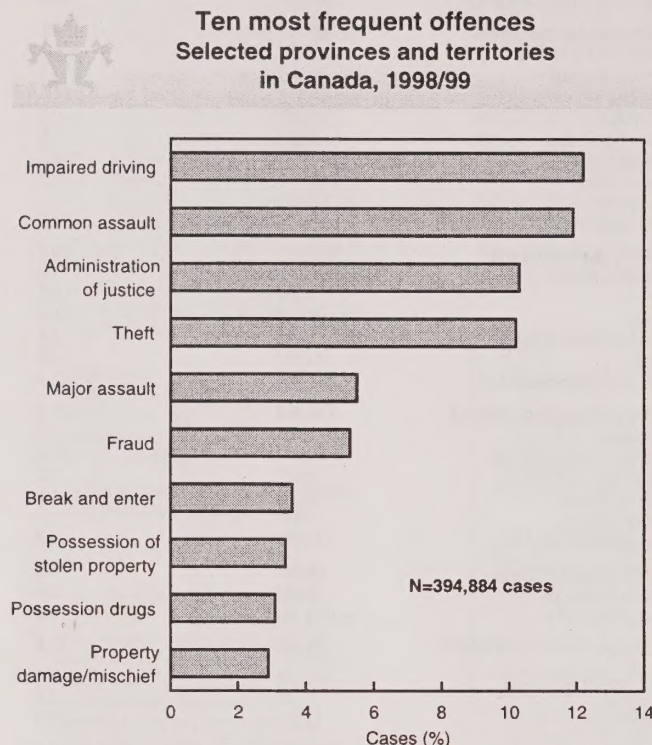
<sup>6</sup> Federal statute offences refer to offences against Canadian federal statutes, such as the Customs Act, the Employment Insurance Act, Firearms Act, Food and Drugs Act (FDA), the Income Tax Act, and the Narcotic Control Act (NCA). This offence category excludes Criminal Code of Canada offences.

<sup>7</sup> There are three levels of assault in the Criminal Code. Common assault (Level 1 Assault, S. 266) is the least serious of the three types of assault in the Criminal Code. A common assault has been committed when an individual intentionally applies force or threatens to apply force to another person, without that person's consent. Major assault is an offence category that includes the higher levels of assault in the Criminal Code, assault with a weapon (Assault Level II, S. 267), aggravated assault (Assault Level III, S. 268), and other assaults (e.g., assaulting a police officer, and unlawfully causing bodily harm).



exceptions to this rule are major assault and break and enter, which are very serious crimes that also account for a significant percentage of total cases – 6% and 4% respectively (see Table 1). **Figure 1** provides a graphic of the distribution of cases for some of the most frequently occurring offences and offence categories.

Figure 1



**Note:** Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

## DEMOGRAPHIC CHARACTERISTICS OF PERSONS APPEARING IN COURT

### Most adult criminal court cases involve males

Fully 81% of all cases at the adult criminal court level involved male accused persons, while 15% of cases involved a female accused. (The sex of the accused was not recorded in 3% of the cases). In 1998/99, less than 1% of the cases involved a company as the accused.

Accused males accounted for the majority of cases for all crime categories. For *Crimes against the person*, 85% of cases involved males, while accused males were involved in 77% of *Crimes against Property*, and 85% of cases for *Traffic-related offences*. The few offences for which females accounted for significant percentages of cases included: offences against morals (38%, primarily soliciting), abduction (38%, mainly child-related), fraud (28%), and theft (28%, including shoplifting).

### Accused less than 45 years of age in almost all cases

The 25-to-34 age group accounted for the highest percentage of cases heard in adult criminal courts in 1998/99 (32%), closely followed by the 18-to-24 age group (30%) and the 35-to-44 age group (24%). Offenders under 45 years of age accounted for 86% of total cases. (Table 2)

### The accused was between 18 and 24 years of age in almost 40% of *Crimes against property* cases

In 1998/99, 18- to 24-year-olds comprise 12% of the adult population and 30% of all cases in adult criminal court. In contrast, persons over 55 represent 28% of the adult population, but accounted for less than 5% of adult criminal court cases. In 1998/99, the 18-to-24 age group accounted for the highest percentage of *Crimes against property* (37%), while the 25-to-34 age group accounted for the highest percentage of *Crimes against the person* (34%). Robbery is the only exception to this pattern: the younger age category accounted for almost half (46%) of robbery cases, while the 25-to-34 age group accounted for 33% of robbery cases.

## CASE PROCESSING

An important issue for the criminal justice system is the time taken to process a criminal case. The amount of time that elapses between the first and last court appearances will depend on many factors, including the complexity of the case, the number of days in which a judge is sitting in court, the degree of co-ordination of court resources, and lawyers' decisions regarding the appropriate course of action for their clients. **Box 2** contains a brief description of some of the more common elements of the trial process.

### Elapsed time: from the commission of the crime to first appearance in court by the accused

In 1998/99, a very small percentage (3%) of accused persons had their first appearance on the same day that the offence was reported to have occurred. In general, it is a matter of weeks between the commission of the crime and the first appearance of an accused. Thus, 41% of cases had a first appearance within 1 month of the crime being committed. A further 38% appeared in court between one and four months after the occurrence of the crime, and 20% took more than four months. In 93% of cases, the appearance took place within a year of the crime while 7% of accused persons had their first court appearance more than a year after the crime was committed.

### Elapsed time: from first to last appearance in court

Since the 1990 Supreme Court decision in *R. v. Askov*<sup>8</sup>, an important issue for court administrators is the amount of time that it takes to complete the processing of a case. In 1998/99, 19% of cases were dealt with at the first (and only)

<sup>8</sup> 59 C.C.C. (3d) 449. In this decision, the Supreme Court affirmed the right of an accused to be brought to trial without excessive delay. Further clarification of the issue was provided in *R. v. Morin* (1992) 71 C.C.C. (3d) 193 (S.C.C.). The judgement in *Morin* suggested that an eight to ten month delay was tolerable between charges being laid and the subsequent trial in provincial court.



Table 2



**Cases by age of accused**  
**Selected provinces and territories in Canada, 1998/99**

Offence Group	Total Cases	Age Group									
		18 to 24		25 to 34		35 to 44		45 to 54		55 plus	
		#	%	#	%	#	%	#	%	#	%
<b>TOTAL OFFENCES</b>	<b>379,725</b>	<b>113,485</b>	<b>29.9</b>	<b>121,087</b>	<b>31.9</b>	<b>92,197</b>	<b>24.3</b>	<b>36,358</b>	<b>9.6</b>	<b>16,598</b>	<b>4.4</b>
<b>CRIMINAL CODE OFFENCES</b>	<b>338,250</b>	<b>98,969</b>	<b>29.3</b>	<b>108,438</b>	<b>32.1</b>	<b>83,193</b>	<b>24.6</b>	<b>32,683</b>	<b>9.7</b>	<b>14,967</b>	<b>4.4</b>
<b>Crimes against the person</b>	<b>79,029</b>	<b>20,166</b>	<b>25.5</b>	<b>26,926</b>	<b>34.1</b>	<b>20,840</b>	<b>26.4</b>	<b>7,649</b>	<b>9.7</b>	<b>3,448</b>	<b>4.4</b>
Homicide and related	461	137	29.7	180	39.0	84	18.2	40	8.7	20	4.3
Attempted murder	350	111	31.7	122	34.9	75	21.4	27	7.7	15	4.3
Robbery	4,570	2,101	46.0	1,509	33.0	781	17.1	153	3.3	26	0.6
Kidnapping	283	87	30.7	93	32.9	67	23.7	23	8.1	13	4.6
Sexual assault	5,893	1,136	19.3	1,803	30.6	1,560	26.5	815	13.8	579	9.8
Sexual abuse	1,266	190	15.0	371	29.3	368	29.1	180	14.2	157	12.4
Major assault	21,212	6,514	30.7	7,144	33.7	5,086	24.0	1,723	8.1	745	3.5
Abduction	133	16	12.0	62	46.6	36	27.1	16	12.0	3	2.3
Common assault	44,861	9,874	22.0	15,642	34.9	12,783	28.5	4,672	10.4	1,890	4.2
<b>Crimes against property</b>	<b>98,533</b>	<b>36,867</b>	<b>37.4</b>	<b>30,140</b>	<b>30.6</b>	<b>20,724</b>	<b>21.0</b>	<b>7,495</b>	<b>7.6</b>	<b>3,307</b>	<b>3.4</b>
Break and enter	13,938	7,481	53.7	3,995	28.7	1,945	14.0	443	3.2	74	0.5
Arson	603	223	37.0	157	26.0	122	20.2	70	11.6	31	5.1
Fraud	19,965	5,583	28.0	7,243	36.3	4,805	24.1	1,766	8.8	568	2.8
Possess stolen property	13,247	6,105	46.1	4,000	30.2	2,269	17.1	671	5.1	202	1.5
Theft	39,472	12,811	32.5	11,197	28.4	9,397	23.8	3,872	9.8	2,195	5.6
Property damage/mischief	11,308	4,664	41.2	3,548	31.4	2,186	19.3	673	6.0	237	2.1
<b>Other Criminal Code offences</b>	<b>104,394</b>	<b>31,356</b>	<b>30.0</b>	<b>34,718</b>	<b>33.3</b>	<b>25,327</b>	<b>24.3</b>	<b>9,161</b>	<b>8.8</b>	<b>3,832</b>	<b>3.7</b>
Weapons	7,171	2,291	31.9	2,033	28.4	1,544	21.5	802	11.2	501	7.0
Administration of justice	39,831	13,125	33.0	13,638	34.2	9,234	23.2	2,881	7.2	953	2.4
Public order offences	8,850	3,360	38.0	3,072	34.7	1,716	19.4	517	5.8	185	2.1
Morals-sexual	5,583	1,027	18.4	2,064	37.0	1,552	27.8	590	10.6	350	6.3
Morals-gaming	606	53	8.7	161	26.6	155	25.6	150	24.8	87	14.4
Residual Criminal Code	42,353	11,500	27.2	13,750	32.5	11,126	26.3	4,221	10.0	1,756	4.1
<b>Traffic-related offences</b>	<b>56,294</b>	<b>10,580</b>	<b>18.8</b>	<b>16,654</b>	<b>29.6</b>	<b>16,302</b>	<b>29.0</b>	<b>8,378</b>	<b>14.9</b>	<b>4,380</b>	<b>7.8</b>
Criminal Code traffic	8,392	1,755	20.9	2,880	34.3	2,299	27.4	1,008	12.0	450	5.4
Impaired driving	47,902	8,825	18.4	13,774	28.8	14,003	29.2	7,370	15.4	3,930	8.2
<b>FEDERAL STATUTE OFFENCES</b>	<b>41,475</b>	<b>14,516</b>	<b>35.0</b>	<b>12,649</b>	<b>30.5</b>	<b>9,004</b>	<b>21.7</b>	<b>3,675</b>	<b>8.9</b>	<b>1,631</b>	<b>3.9</b>
<b>Drug-related offences</b>	<b>19,472</b>	<b>7,415</b>	<b>38.1</b>	<b>6,531</b>	<b>33.5</b>	<b>4,248</b>	<b>21.8</b>	<b>1,054</b>	<b>5.4</b>	<b>224</b>	<b>1.2</b>
Trafficking	7,543	2,223	29.5	2,754	36.5	1,893	25.1	535	7.1	138	1.8
Possession	11,929	5,192	43.5	3,777	31.7	2,355	19.7	519	4.4	86	0.7
<b>Other federal statutes</b>	<b>22,003</b>	<b>7,101</b>	<b>32.3</b>	<b>6,118</b>	<b>27.8</b>	<b>4,756</b>	<b>21.6</b>	<b>2,621</b>	<b>11.9</b>	<b>1,407</b>	<b>6.4</b>
<b>Adult Population*</b>	<b>18,566,151</b>	<b>2,304,400</b>	<b>12.4</b>	<b>3,667,836</b>	<b>19.8</b>	<b>4,211,909</b>	<b>22.7</b>	<b>3,266,311</b>	<b>17.6</b>	<b>5,115,695</b>	<b>27.6</b>

\* Annual Demographic Statistics, 1998, Demography Division, Statistics Canada.

Notes: Total Cases excludes cases where the age of the accused was unknown.

Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

appearance. The median elapsed time from first to last appearance, for cases with more than one appearance, was slightly more than four months (124 days). The cases requiring more appearances obviously took longer to complete. The median time for cases with four appearances was 109 days, and for cases with six appearances, 242 days. There was an increase of 14% in the processing time for "six appearance cases" between 1994/95 and 1998/99.

### 10% of cases took more than 1 year to resolve

One third of cases (34%) were resolved within a month, and just less than half (45%) took more than one, but no more than eight months to complete in 1998/99. It took more than eight months and no more than twelve months to complete 12% of cases, and the elapsed time was more than one year in 10% of cases heard. The distribution of cases across these

elapsed time categories has changed significantly in the last five years. The number of cases in the each of the longest elapsed time categories (i.e., from eight months to twelve months, and more than one year) has increased significantly. The largest increase occurred in the number of cases taking more than one year, which rose 22% since 1994/95, and the number of cases requiring from eight to twelve months increased 9% over the same period.

Some offences take longer to resolve than others. An indication of the complexity of crimes of sexual aggression is that they required a significantly longer time to be resolved than other offences. Sexual assault and sexual abuse cases each had a median elapsed time of 202 days. The median elapsed times for these crimes increased over the previous year. In 1997/98, the median elapsed times for sexual assault cases and sexual abuse cases were, respectively, 189 and



## Box 2 Case Processing

There are many paths that a criminal trial can take as it makes its way through adult criminal court in Canada. These variations in case processing depend on several factors including the seriousness of the offences being heard, and the elections made by the Crown and the accused. For most cases, the trial process in adult provincial/territorial criminal courts will include some or all of the elements listed below.

**First Appearance:** The first appearance in court is usually a bail hearing in provincial court, where the court must determine if the accused should be released pending trial. Most offences require the Crown to show that the accused is either a danger to the community or a risk to flee prosecution before a remand order is given. However, several offences are classified as reverse onus offences, where the accused must show cause why his detention is not justified – CCC s.515 (6).

**Crown Elections:** The Crown is eligible to elect the type of proceeding for hybrid offences, which are also known as “dual procedure” offences. The defining Criminal Code sections for hybrid offences specify that the Crown may try the case in one of two ways; (1) as a summary conviction offence — the least serious offence type, which also carries a lower maximum penalty, or (2) as the more serious indictable offence. If the Crown elects to try the case as an indictable offence the accused faces the possibility of a prison sentence that, depending on the offence, ranges between no minimum sentence to life in prison.

**Defence Elections:** Where permitted under the *Criminal Code*, the accused may elect to be tried in adult provincial/territorial criminal court or in Superior Court — with or without a jury. If the accused elects to be tried in Superior Court, a preliminary inquiry may be held. (See preliminary hearings below). The defence is not eligible to elect the mode of trial for summary conviction offences, or offences identified under *Criminal Code* section 469 or 553. These *Criminal Code* sections identify offences that are the absolute jurisdiction of a single court level, Superior Court and provincial/territorial court respectively.

**Preliminary Hearings:** The purpose of the preliminary inquiry process is to determine if there is sufficient evidence in the case

to proceed to trial in a higher court level, Superior Court. The provincial court judge will commit the case for trial in Superior Court if the evidence is compelling and there is a reasonable expectation of a judgement against the accused. However, if the evidence is not convincing, the judge must stop the proceedings against the accused — and the court finding will be recorded as “discharged at preliminary”.

The preliminary inquiry process is a way for the accused to review all of the Crown's evidence before proceeding to the higher court. The defence is permitted to question all of the Crown witnesses and to review any prosecution exhibits related to the charges, which helps the accused's counsel prepare for trial.

**Fitness Hearings:** When the accused's mental health is brought into question, the court will order a psychiatric examination. In the fitness hearing that results, the accused will be found fit for trial or remanded in custody until the lieutenant governor of the province permits release.

**Trial:** The trial begins with the accused entering a plea of guilty, guilty of a lesser charge, not guilty, or special plea (i.e., previous conviction, previous acquittal, or pardon — C.C.C. s.607). In some cases, the accused may refuse to enter a plea, and the court will enter a plea of not guilty on behalf of the accused. A guilty plea will usually result in an immediate conviction, but the court may also refuse to accept a guilty plea if that plea is given with conditions, or if the court feels that the accused does not understand that the plea is an admission of guilt.

A plea of not guilty will result in a trial, where the evidence against the accused is heard and the court will make a judgment on that evidence. The final disposition, or decision, of the court will be either 1) guilty of the offence charged, 2) guilty of an included offence, 3) not guilty of the charged offence, or 4) not guilty on account of insanity. The court may sentence the accused immediately following a finding of guilt; however, the court may also delay the sentencing to a later date so that all relevant factors can be considered prior to imposing a sentence on the accused.

182 days. These medians can be compared to the overall median elapsed time for *Crimes against the person*, which was 126 days in 1998/99.

In addition, the proportion of sexual assault and sexual abuse cases that required more than one year to complete was slightly more than 20% in 1998/99. This is double the proportion taking more than one year for the *Crimes against the person* category (10%), and significantly greater than the proportion reported for sexual assault and sexual abuse in 1994/95 (13% and 17% respectively).

### Cases have become more complex since 1994/95

In 1998/99, the percentage of cases taking six or more appearances (30% of cases heard) increased one percentage point over the previous year, and has now increased seven percentage points over the past five years. This suggests that although the number of cases being processed by the courts have been falling since 1994/95, the demand on court

resources has increased. The number of cases-appearances<sup>9</sup> has increased 2% over the five-year period, and the mean number of appearances per cases has increased 15%, from 4.1 appearances in 1994/95 to 4.7 appearances in 1998/99. The composition of cases being heard is one factor that has contributed to this increase. From 1994/95 to 1998/99, multiple-charge cases have increased from 44% to 47% of cases heard in court, and not surprisingly, cases involving multiple charges require a higher mean number of appearances to be resolved than cases involving a single charge (5.2 appearances versus 4.3). In addition, the proportion of cases with three or more charges has increased steadily, from 17% of all cases in 1994/95 to 20% in 1998/99. The number of multiple charge cases with six or more appearances increased dramatically (23%) during this same period.

<sup>9</sup> One case appearance is counted for each day the case appears in court. For example, if two charges from the same case appear in court on the same day then one case appearance is recorded.



## Complex cases take longer to process

The growing proportion of multiple charge cases is having an impact on the time required to process cases in adult criminal court. Between 1994/95 and 1998/99, the median elapsed time from first to last appearance in court has increased 15% from 73 to 84 days, and the processing time for the most complex cases (i.e., multiple-charge cases) have increased 10%, from 89 to 98 days. Surprisingly, there was a similar increase in the median processing time for single charge cases during the same period. The median processing time for the least complex cases, those with a single charge, increased 11%, from 63 to 70 days.

This latter finding may be an indication of the demand placed on court resources by the changes in case complexity (i.e., the increasing number of charges per case and the number of additional appearances these cases require). The number of additional appearances required by multiple-charge cases may be making it more difficult to schedule and complete all cases, thus increasing the processing time for single-charge cases as well.

## OVERVIEW OF CASE OUTCOMES

Box 3 provides a summary description of the possible dispositions in provincial/territorial adult criminal courts.

Figure 2 shows the pyramid of case processing from the number of charges laid to the number and nature of the sanctions imposed in cases which resulted in a conviction<sup>10</sup>. Thus 840,539 charges were associated with 394,884 cases. A conviction was recorded in 62% of these cases. Almost one-third of the cases were resolved by the charges being

stayed or withdrawn. Only 3% of the cases in 1998/99 resulted in the acquittal of the accused.

## Conviction rates

### Conviction rates stable over the period 1994/95 to 1998/99

The overall conviction rate has changed little over the past five years. In 1998/99, a conviction was recorded in 62% of all cases, the same percentage as in 1997/98. The proportion of cases resulting in a conviction has varied by less than 2 percentage points over the past five years.

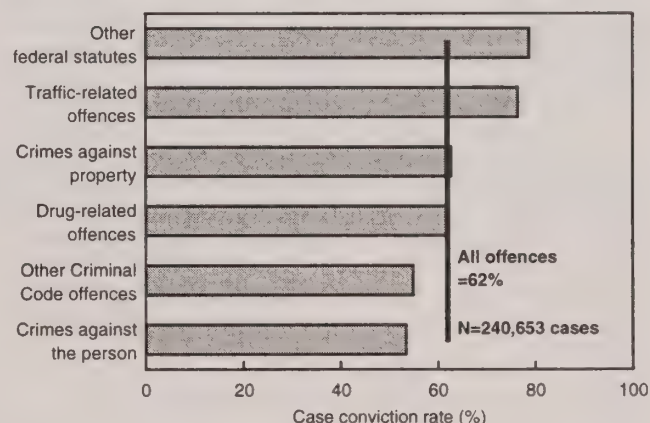
### Almost two-thirds of criminal cases result in a conviction

In 1998/99, the conviction rate was highest (79%) for *Other Federal Statute* offences, and lowest for the category of *Crimes against the person* (53%) (Figure 3). Many factors impact on the variable conviction rates for different categories of offences. Some crimes may be easier to prove than others as a result of a number of factors, including the number and availability of witnesses and the complexity of evidence presented by the Crown.

<sup>10</sup> The calculation of conviction rates excludes cases where the last available disposition is a change in court level (i.e., Committed for Trial in Superior Court, and Re-election to Provincial Court). Dispositions of this type indicate an incomplete criminal trial process, where the guilt or innocence of the accused has not been determined.

Figure 3

Case conviction rates  
Selected provinces and territories  
in Canada, 1998/99



**Notes:** The calculation of conviction rates excludes cases with final dispositions of 'Commit for Trial in Superior Court' and 'Re-elect to Provincial Court'.

Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

### Box 3 Dispositions in Adult Provincial/Territorial Criminal Court

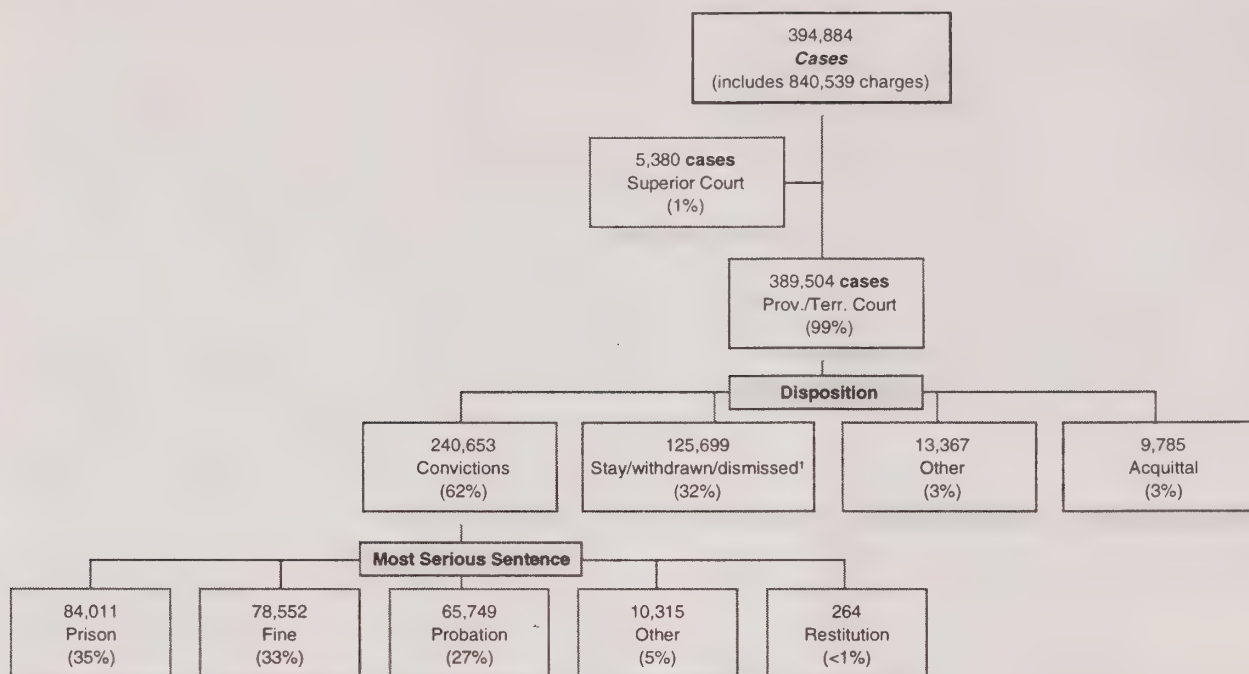
The disposition categories in this report are as follows:

- **Guilty** includes guilty of the charged offence, of an included offence, of an attempt of the charged offence, or of an attempt of an included offence.
- **Superior Court** represents criminal proceedings that have been transferred to another level of court. This includes cases in provincial/territorial criminal court that are transferred to Superior Court, and Superior Court cases that have re-elected back to provincial court. In 1998/99, Alberta is the only jurisdiction supplying criminal trial data from Superior court, and the only jurisdiction reporting data on the re-election of cases back to provincial court.
- **Stay/Withdrawn/Dismissed** includes stay of proceedings, and withdrawn/dismissed at preliminary inquiry. These dispositions all refer to the court stopping criminal proceedings against the accused.
- **Acquitted** means that the accused has been found not guilty of the charges presented before the court.
- **Other Disposition** includes found not criminally responsible, waived in province/territory, and waived out of province/territory. This category also includes any order that does not carry a conviction, the court's acceptance of a special plea, cases which raise Charter arguments and cases where the accused was found unfit to stand trial.



Figure 2

### Adult court processing of Federal Statute cases Selected provinces and territories in Canada, 1998/99



¹ The stay/withdrawn/dismissed category includes stayed, withdrawn, dismissed, and discharged at preliminary.

**Notes:** The sentence was not known in 1,762 convicted cases in 1998/99.

Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba and British Columbia for all years and Northwest Territories for 1996/97.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Figure 4 shows the conviction rates for a number of *Crimes against the person*. On average, 53% of all cases involving violence (or the threat of violence) resulted in a conviction. As can be seen, there was considerable variability, with the conviction rates ranging from a low of 25% for aggravated assault to over 60% for unlawfully causing bodily harm (76%), robbery (61%) and sexual abuse (60%).

Figure 5 provides conviction rates for a number of *Crimes against property*. In contrast to Figure 4, this figure shows considerable uniformity with all property offences having conviction rates very close to the property offence category average of 64%.

#### Comparisons of conviction rates across jurisdictions

As can be seen in Table 3, the overall conviction rate was highest in Quebec (76%), Prince Edward Island (75%) and the Northwest Territories (75%), and significantly lower in Nova Scotia (55%) and Ontario (56%).

There are several possible factors that influence these variations in the conviction rates and other dispositions across

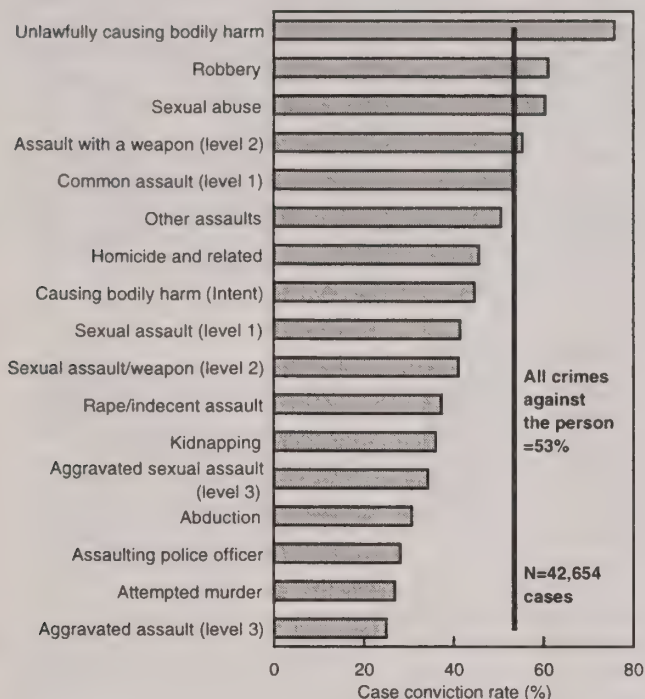
the jurisdictions. Firstly, some jurisdictions use diversion and alternative measures to a greater extent, which affects the number and types of cases that proceed to court. Secondly, the use of stays and withdrawals of charges also varies across the country, and this will have an impact on the percentage of cases in which a conviction is recorded. For example, fully 41% of cases were stayed or withdrawn in Ontario, whereas 10% were terminated in this way in Quebec. Thirdly, the use of pre-charge or post-charge screening by the police or the Crown, which occurs in Quebec, may also affect the percentage of convictions. Finally, the number of charges laid against an individual in relation to similar incidents may vary from one jurisdiction to another.

These variations in charging practices will have an impact on the composition of cases proceeding to court, which will affect the proportion of convictions. Serious criminal incidents have a greater likelihood of receiving multiple charges by the police, and these charges will initially be processed as part of the same case in court. For example, the same criminal incident may result in one charge (e.g., major assault) in one jurisdiction, and two charges (e.g., major assault and attempted murder) in another jurisdiction.



Figure 4

### Conviction rates for cases with a crime against the person as the most serious offence in the case Selected provinces and territories in Canada, 1998/99

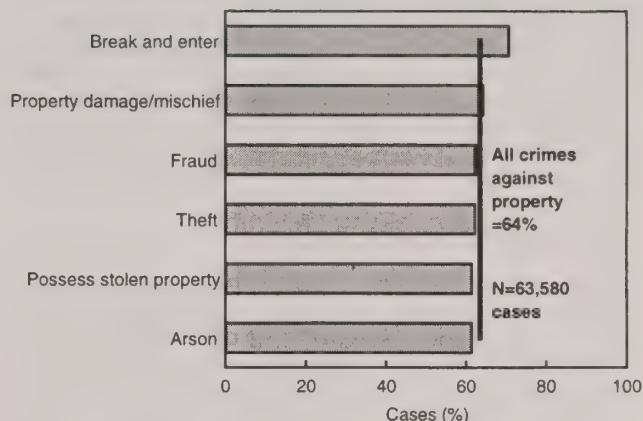


**Notes:** The calculation of conviction rates excludes cases with final dispositions of 'Commit for Trial in Superior Court' and 'Re-elect to Provincial Court'.  
Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Figure 5

### Conviction rates for cases with a property offence as the most serious offence in the case Selected provinces and territories in Canada, 1998/99



**Notes:** The calculation of conviction rates excludes cases with final dispositions of 'Commit for Trial in Superior Court' and 'Re-elect to Provincial Court'.  
Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Table 3

### Cases by disposition Selected provinces and territories in Canada, 1998/99

Jurisdiction	Total Cases	Guilty	Stay/withdrawn/ dismissed <sup>3</sup>	Acquitted	Other
		%	%	%	%
<b>TOTAL</b>	<b>389,504</b>	<b>61.8</b>	<b>32.3</b>	<b>2.5</b>	<b>3.4</b>
Newfoundland	7,466	73.9	23.1	0.1	2.9
Prince Edward Island	1,521	75.0	23.6	0.9	0.5
Nova Scotia	16,398	54.8	36.2	3.4	5.6
Quebec <sup>1</sup>	74,221	75.7	9.6	9.3	5.4
Ontario	196,828	56.5	41.0	0.5	2.1
Saskatchewan	26,709	63.9	31.8	1.1	3.2
Alberta <sup>2</sup>	61,472	60.5	32.9	1.6	5.0
Yukon	1,594	58.6	31.2	1.1	9.2
Northwest Territories	3,295	75.4	22.2	1.5	0.9

<sup>1</sup> Municipal courts are not included.

<sup>2</sup> Includes superior court.

<sup>3</sup> The stay/withdrawn/dismissed category includes stayed, withdrawn, dismissed, and discharged at preliminary.

**Note:** Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97. The calculation of conviction rates excludes cases with final dispositions of 'Commit for Trial in Superior Court' and 'Re-election to Provincial Court'.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Adult Criminal Court Survey.



When the Crown is presented with multiple charges, it may choose to proceed with all the charges, or with the charge(s) with the strongest evidence. If this decision is made in court, it may result in more than one case against the same accused for the ACCS. The charges that proceed to court are combined into a case based on the last court date, and therefore any charge that has been completed early, (i.e., stayed or withdrawn due to alternative measures, or charge selection by the Crown) may appear as a different case for the ACCS. For example, the low conviction rate for some *Crimes against the person* cases may be a reflection of some charges being stayed or withdrawn by the Crown in favour of proceeding to trial for charges with the strongest evidence.

## SENTENCING PATTERNS

Determining the sentence to be imposed is one of the most complex and challenging decisions for a judge (see **Box 4**). At sentencing, the court will seek to impose a sentence that is a reflection of the purpose, objectives and principles of the sentencing process. As noted earlier, the *Criminal Code* now contains a section which outlines these purposes and principles (Section 718).

### Box 4

#### Principal Sentencing Options in Canada

**Fines:** When a fine is imposed, the offender is ordered to pay a certain amount to the province, territory or the federal government. An offender may be fined in lieu of another punishment, (unless the offender has been convicted of an offence which carries a minimum term of imprisonment, or a maximum penalty of more than 5 years).

**Probation:** An offender sentenced to a term of probation remains in the community, but is subject to a number of conditions for the duration of the probation order. Some conditions are compulsory and apply to all offenders on probation. These include keeping the peace and appearing before the court when required to do so. The optional conditions vary from case to case, and can include performing community service, abstaining from the consumption of alcohol and providing for the support of dependants. Violating the conditions of a probation order is a criminal offence<sup>1</sup>.

**Imprisonment:** This involves a term of custody served in a provincial/territorial or federal institution. Sentences of two years or more are served in a federal penitentiary, while terms of less than two years are served in provincial correctional facilities. Sentences of 90 days or less can be served intermittently, which usually means on weekends.<sup>2</sup>

In addition to these three principal sanctions, judges have many other sentencing options<sup>3</sup>, such as conditional and absolute discharges, compensation orders, restitution orders, and orders to prohibit the offender from driving or possessing a weapon. Judges may impose more than one sanction per charge, but there are rules governing the specific combinations of sanctions that may be imposed.

<sup>1</sup> Criminal Code, Section 733.1 (1).

<sup>2</sup> As noted earlier, there is now a conditional sentence of imprisonment. Information about this sanction is not yet available from the ACCS.

<sup>3</sup> For more information on sentencing options, see A. Edgar (1999) *Sentencing Options in Canada*. In: *Making Sense of Sentencing*. Toronto: University of Toronto Press.

In addition to the purpose and principles provided in the *Criminal Code*, other considerations are taken into account at sentencing, including: the criminal record of the offender, whether the accused pleaded guilty, the nature of information contained in a victim impact statement and many other mitigating and aggravating factors relating to the offence or the offender.<sup>11</sup> In determining the relative importance of these variables, the judge will be guided by the fundamental principle of sentencing, namely that "a sentence must be proportionate to the gravity of the offence and the degree of responsibility of the offender".<sup>12</sup>

Information on variables such as the amount of damage, the extent of the injury to the victim and the criminal history of the offender is not collected by the ACCS. Nevertheless, the survey does provide important information about sentencing patterns in provincial/territorial criminal court.

### Types of sentences

#### Probation was the most common sentence in 1998/99

As in previous years, a term of probation was the most frequently occurring sentence, imposed in 42% of all cases with a conviction. A fine was imposed in 40% of all cases, while a prison term was imposed in 35% of cases.<sup>13</sup> The relative frequency of the principal sentencing options is presented graphically in **Figure 6**. A high percentage of cases (47%) received what are classified as "other sentences". This category of sentence includes the following: absolute discharges, conditional discharges, suspended sentences, licence suspensions, prohibitions against the ownership of firearms, and other court-ordered sanctions. The data in **Figure 6** include multiple sentences per case.

### Use of prison

#### The number of cases sentenced to prison declined between 1994/95 and 1998/99

The number of cases sentenced to prison declined by 5%, from 88,690 cases in 1994/95 to 84,011 cases in 1998/99. The explanation for the decline in the number of prison sentences is to be found in the following: (i) the decline in the number of crimes reported to the police, (ii) the decline in the number of cases heard in court, and (iii) the decline in the number of convictions recorded. There was an 11% decline in the number of convicted cases over the five-year period 1994/95 to 1998/99. This is consistent with the decline in sentenced admissions to provincial/territorial custody between 1994/95 and 1997/98.<sup>14</sup>

<sup>11</sup> See C. Ruby (1999) *Sentencing*. Fifth Edition. Toronto: Butterworths.

<sup>12</sup> Criminal Code, section 718.1.

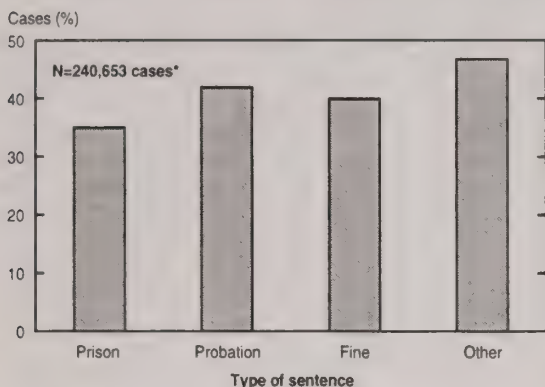
<sup>13</sup> Cases can have more than one sentence. Therefore, sanctions are mutually exclusive and will not add to 100%.

<sup>14</sup> See the methodology section for more details on the comparisons between the ACCS and the Adult Correctional Services (ACS) Survey.



Figure 6

**Cases by type of sentence for the most serious offence  
Selected provinces and territories in Canada, 1998/99**



\* The type of sentence was unknown in 1,762 cases where a sentence was imposed.

**Notes:** Many cases result in more than one sentence, and therefore sentence totals will not add up to 100%.  
Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

**Incarceration used most frequently in cases of Crimes against property and Other Criminal Code**

Table 4 provides information relating to the use of incarceration for selected offence categories in 1998/99. This table shows that incarceration was the sentence for slightly more than one third (35%) of all cases, and that this percentage was in the order of 40% for three of the four major components of *Criminal Code* offences (i.e., *Crimes against the person*, *Crimes against property*, and *Other Criminal Code* violations).

In 1998/99, 39% of convicted *Crimes against the person* cases were sentenced to prison. One factor to be considered when examining the use of incarceration in this category is that common assault — the least serious form of assault with a relatively low use of incarceration (29%) — represents the majority (59%) of convicted cases in the *Crimes against the person* category. When common assault is removed, the remainder of the *Crimes against the person* category has a much higher use of incarceration, with 55% all convicted cases sentenced to prison in 1998/99.

Offenders were sentenced to prison in 41% of the convicted *Crimes against property* cases. These offences tend to have longer criminal histories, and after the seriousness of the crime of conviction, an offender's criminal history is one of the most important factors considered by the court when determining the sanction imposed. Prison was frequently used as a sanction in convicted cases of several high volume property offences. Fully 63% of convicted break and enter cases were

sentenced to prison, 38% of theft convictions, and more than a third (35%) of fraud convictions resulted in a prison sentence. The relatively high use of imprisonment in these cases may be associated with the prior criminal history of the accused, which may be related to the repeat nature of this offence type.

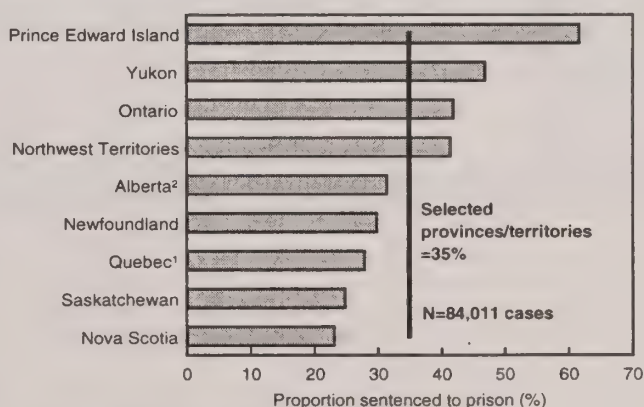
Similarly, *Other Criminal Code* cases, which were sentenced to prison in 44% of convicted cases, are dominated by offences related to the criminal history of the accused. This offence category includes administration of justice offences, which are high frequency offences related to case processing (e.g., failure to appear in court, and failure to comply with a probation order). The courts consider these administration of justice offences to be very serious, and the majority (57%) of these cases were sentenced to prison.

**Use of imprisonment varies considerably across the country**

As in previous years, considerable variation emerged in the use of different sanctions across the country. For example, almost two-thirds (62%) of cases with convictions in Prince Edward Island resulted in a term of imprisonment, while prison was imposed in only one-quarter of cases in Saskatchewan (25%) and Nova Scotia (23%) (see Figure 7). This variation in the use of incarceration reflects the influence of several factors. Firstly, the mix of offences being sentenced can vary from jurisdiction to jurisdiction. If a particular jurisdiction has a higher than average percentage of the more serious crimes, it may also have a higher than average overall percentage of cases being sent to prison. Secondly, judges in different parts of the country may use incarceration in different ways. In Prince Edward Island, for example, first offenders convicted of Impaired Driving are frequently sent to prison (although for a brief period). Since this

Figure 7

**Proportion of cases sentenced to prison for the most serious offence in the case  
Selected Provinces and Territories in Canada, 1998/99**



<sup>1</sup> Municipal courts are not included.

<sup>2</sup> Includes superior court.

**Note:** Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.



Table 4

### Cases by type of sentence for the most serious offence in the case Selected provinces and territories in Canada, 1994/95 to 1998/99

Fiscal Year	Type of sentence for most serious offence							
	Case convictions	#	Prison %	#	Probation %	#	Fine %	
1994/95 Total	270,874	88,690	32.7	98,891	36.5	127,541	47.1	
Criminal Code offences	233,709	82,378	35.2	93,546	40.0	100,262	42.9	
Crimes against the person	40,194	15,710	39.1	26,707	66.4	9,862	24.5	
Crimes against property	73,398	26,823	36.5	36,871	50.2	23,814	32.4	
Other Criminal Code offences	59,636	24,769	41.5	18,793	31.5	21,682	36.4	
Traffic-related offences	60,481	15,076	24.9	11,175	18.5	44,904	74.2	
Federal Statute offences	37,165	6,312	17.0	5,345	14.4	27,279	73.4	
Drug-related offences	16,733	5,092	30.4	4,541	27.1	8,752	52.3	
Other federal statutes	20,432	1,220	6.0	804	3.9	18,527	90.7	
1995/96 Total	270,204	88,586	32.8	103,368	38.3	121,499	45.0	
Criminal Code offences	232,102	81,992	35.3	96,717	41.7	94,366	40.7	
Crimes against the person	42,576	16,969	39.9	28,765	67.6	9,806	23.0	
Crimes against property	72,895	27,077	37.1	36,993	50.7	21,909	30.1	
Other Criminal Code offences	59,358	23,902	40.3	19,878	33.5	20,538	34.6	
Traffic-related offences	57,273	14,044	24.5	11,081	19.3	42,113	73.5	
Federal Statute offences	38,102	6,594	17.3	6,651	17.5	27,133	71.2	
Drug-related offences	18,531	5,521	29.8	5,841	31.5	9,360	50.5	
Other federal statutes	19,571	1,073	5.5	810	4.1	17,773	90.8	
1996/97 Total	261,644	86,026	32.9	106,872	40.8	115,034	44.0	
Criminal Code offences	225,322	79,844	35.4	99,805	44.3	89,338	39.6	
Crimes against the person	41,383	16,309	39.4	29,522	71.3	8,553	20.7	
Crimes against property	71,870	26,599	37.0	38,174	53.1	20,162	28.1	
Other Criminal Code offences	57,792	24,287	42.0	20,972	36.3	19,000	32.9	
Traffic-related offences	54,277	12,649	23.3	11,137	20.5	41,623	76.7	
Federal Statute offences	36,322	6,182	17.0	7,067	19.5	25,696	70.7	
Drug-related offences	18,515	5,143	27.8	6,229	33.6	9,585	51.8	
Other federal statutes	17,807	1,039	5.8	838	4.7	16,111	90.5	
1997/98 Total	250,073	82,668	33.1	106,438	42.6	103,498	41.4	
Criminal Code offences	218,583	76,877	35.2	99,295	45.4	82,550	37.8	
Crimes against the person	42,105	15,847	37.6	30,506	72.5	7,629	18.1	
Crimes against property	65,643	24,670	37.6	35,978	54.8	16,688	25.4	
Other Criminal Code offences	59,204	24,898	42.1	22,443	37.9	18,323	30.9	
Traffic-related offences	51,631	11,462	22.2	10,368	20.1	39,910	77.3	
Federal Statute offences	31,490	5,791	18.4	7,143	22.7	20,948	66.5	
Drug-related offences	11,490	3,159	27.5	4,210	36.6	5,718	49.8	
Other federal statutes	20,000	2,632	13.2	2,933	14.7	15,230	76.2	
1998/99 Total	240,653	84,011	34.9	100,897	41.9	95,989	39.9	
Criminal Code offences	209,923	77,918	37.1	93,783	44.7	75,825	36.1	
Crimes against the person	42,654	16,787	39.4	30,786	72.2	7,190	16.9	
Crimes against property	63,580	26,098	41.0	33,571	52.8	15,370	24.2	
Other Criminal Code offences	60,453	26,381	43.6	22,209	36.7	18,865	31.2	
Traffic-related offences	43,236	8,652	20.0	7,217	16.7	34,400	79.6	
Federal Statute offences	30,730	6,093	19.8	7,114	23.2	20,164	65.6	
Drug-related offences	12,004	3,455	28.8	3,411	28.4	6,004	50.0	
Other federal statutes	18,726	2,638	14.1	3,703	19.8	14,160	75.6	

Notes: The sentence types presented are not mutually exclusive and will not total 100%.

Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

offence category accounts for a large number of convictions, this will mean that the overall proportion of cases sentenced to prison in that province will be higher than the national average.

#### Prison sentences imposed more often for cases with multiple charges

Overall, in 1998/99, 29% of convicted cases facing a single charge were sentenced to prison. Of all cases involving multiple charges, 40% were sentenced to a term of custody. As we have seen earlier, multiple charge cases are an

indication of more serious criminal incidents — they take longer to process, and the courts sanction them more severely.

#### Trends in the use of incarceration

##### Slight increase in the proportion of cases sentenced to prison from 1994/95 to 1998/99

While the number of cases sentenced to prison actually decreased, the proportion of cases where prison was used as a sanction increased slightly, from 33% in 1994/95 to 35%



in 1998/99.<sup>15</sup> (Table 4) This table presents sentencing information according to the "Type of Sentence"; thus, if an offender were sentenced to serve a period of imprisonment to be followed by a term of probation, this case would be coded as imprisonment and probation.

The pattern is similar for *Criminal Code* infractions, where 37% of convictions in 1998/99 resulted in a term of custody, up slightly from 35% in 1994/95. This slight increase in the use of imprisonment is not observed within all offence categories. In 1994/95 and again in 1998/99, 39% of cases resulting in a conviction for a *Crime against the person* were sentenced to a term of custody. During this same period, the proportion of convicted cases sentenced to prison increased for *Crimes against property*, *Other Criminal Code*, and *Other federal statutes*. *Drug-related offences* and *Traffic-related offences* each experienced a decline in the proportion sentenced to prison between 1994/95 and 1998/99. *Traffic-related offences* had the largest decline in the use of imprisonment, from 25% in 1994/95 to 20% in 1998/99.

### The use of imprisonment has changed significantly for some offences

The minor changes with respect to the use of incarceration for the larger offence categories masks considerably variation for specific crimes. For some offences, the proportion receiving a sentence of incarceration has declined over the five-year period. For example, in 1994/95, 22% of cases of impaired driving resulted in a term of custody. The percentage sentenced to prison for this offence declined to 19% in 1997/98, and then to 15% in 1998/99. Similarly, the percentage sentenced to prison for sexual assault declined from 65% in 1994/95 to 57% in 1998/99. Trafficking convictions also had a significantly lower proportion of cases sentenced to prison in 1998/99; the proportion sentenced to prison for this offence declined from 77% to 58% between 1994/95 and 1998/99. Of all convictions for robbery, 78% resulted in imprisonment in 1998/99, down from 89% in 1994/95.

In contrast to these trends, other offences were more likely to result in imprisonment in 1998/99 than in 1994/95. The percentage of cases sentenced to prison for a theft conviction

rose from 30% to 38% from 1994/95 to 1998/99, and the use of prison sentences rose from 19% to 31% for Public Order offences over the same period. Without longer-term data, it is hard to determine whether these changing patterns in the use of imprisonment represent a significant change in judicial sentencing practices, or are simply short-term fluctuations.

### Length of prison sentences imposed

#### Most terms of imprisonment were relatively short in 1998/99

Almost half (47%) of all custodial sentences imposed in 1998/99 were 1 month or less, while an additional 35% were for periods of from 1 month to six months. Four percent of custodial sentences were for a term of two years or longer (Table 5).

#### The length of prison sentences increased from 1994/95 to 1998/99

The median length of prison sentences imposed increased significantly between 1994/95 and 1998/99. In 1994/95, the median sentence length for convicted cases receiving prison was 30 days. It rose to 40 days in 1995/96 and remained unchanged until 1998/99 when it increased to 45 days. The increase in sentence lengths can be seen in greater detail in Table 6.

The percentage of sentences in the shortest category (sentence lengths of one month or less) declined by over three percentage points, while the percentage of sentences falling in the longest category (2 years or more) increased by over 1 percentage point (see Table 5). In addition, the number of offenders sentenced to two years or more rose from 2,417

<sup>15</sup> The trend in actual admissions to correctional facilities indicates that the proportion going into custody is decreasing. It is important to note however that many cases not involving supervision do not form part of the correction caseload, while they are integral components of court caseload (e.g., fines). Given that the rate of decrease of unsupervised dispositions is substantially higher than supervised dispositions, adult criminal court caseload can indicate an increased proportion of sentences to prison, while adult correctional caseload indicates the opposite.

Table 5

### Cases by length of prison Selected provinces and territories in Canada, 1998/99

Fiscal Year	Case convictions with prison	Length of prison sentence										Unknown	
		1 month or less		>1 to 6 months		>6 to 12 months		>1 to <2 years		2 years or more			
		#	%	#	%	#	%	#	%	#	%	#	%
1994/95	88,690	44,340	50.0	31,921	36.0	4,999	5.6	2,426	2.7	2,417	2.7	2,587	2.9
1995/96	88,586	43,096	48.6	32,891	37.1	5,345	6.0	2,726	3.1	2,741	3.1	1,787	2.0
1996/97	86,026	41,922	48.7	31,664	36.8	5,405	6.3	2,733	3.2	2,746	3.2	1,556	1.8
1997/98	82,668	39,959	48.3	30,135	36.5	5,369	6.5	2,676	3.2	2,649	3.2	1,880	2.1
1998/99	84,011	39,415	46.9	29,569	35.2	5,272	6.3	2,788	3.3	3,162	3.8	3,805	4.3

Notes: Percentages may not total 100% due to rounding.

Excludes cases with unknown prison length

Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.



Table 6

### Cases by median length of sentence, probation and fine amount Selected provinces and territories in Canada, 1994/95 - 1998/99

TOTAL Offence Group	1994/95			1995/96			1996/97			1997/98			1998/99		
	Prison <sup>1</sup>	Probation	Fine	Prison <sup>1</sup>	Probation	Fine	Prison <sup>1</sup>	Probation	Fine	Prison <sup>1</sup>	Probation	Fine	Prison	Probation	Fine
	Median days	Median days	Median \$ amount	Median days	Median days	Median \$ amount	Median days	Median days	Median \$ amount	Median days	Median days	Median \$ amount	Median days	Median days	Median \$ amount
<b>TOTAL OFFENCES</b>	<b>30</b>	<b>365</b>	<b>300</b>	<b>40</b>	<b>365</b>	<b>300</b>	<b>40</b>	<b>365</b>	<b>300</b>	<b>40</b>	<b>365</b>	<b>300</b>	<b>45</b>	<b>365</b>	<b>300</b>
<b>CRIMINAL CODE OFFENCES</b>	<b>30</b>	<b>365</b>	<b>300</b>	<b>30</b>	<b>365</b>	<b>300</b>	<b>30</b>	<b>365</b>	<b>300</b>	<b>30</b>	<b>365</b>	<b>350</b>	<b>31</b>	<b>365</b>	<b>350</b>
<b>Crimes against the person</b>	<b>60</b>	<b>365</b>	<b>300</b>	<b>69</b>	<b>365</b>	<b>300</b>	<b>90</b>	<b>365</b>	<b>300</b>	<b>90</b>	<b>365</b>	<b>300</b>	<b>90</b>	<b>365</b>	<b>300</b>
Homicide and related	1,825	730	300	2,555	1,095	450	2,190	730	250	2,555	730	275	2,190	913	525
Attempted murder	2,190	725	-	1,825	1,095	-	900	1,080	500	1,148	730	-	1,080	1,095	11,750
Robbery	728	730	250	600	730	200	540	730	300	540	730	350	540	730	300
Kidnapping	210	730	500	150	730	500	180	730	1,500	180	730	425	270	730	350
Sexual assault	240	730	500	240	730	500	270	730	500	270	730	500	360	730	500
Sexual abuse	180	730	500	165	730	500	180	730	500	240	730	500	210	730	500
Major assault	90	540	350	90	540	300	90	540	300	90	540	300	90	540	350
Abduction	135	365	625	75	540	250	180	730	125	89	720	450	30	730	600
Common assault	30	365	299	30	365	300	30	365	250	45	365	300	45	365	300
<b>Crimes against property</b>	<b>60</b>	<b>365</b>	<b>200</b>	<b>60</b>	<b>365</b>	<b>200</b>	<b>60</b>	<b>365</b>	<b>200</b>	<b>60</b>	<b>365</b>	<b>200</b>	<b>60</b>	<b>365</b>	<b>200</b>
Break and enter	180	730	300	180	730	300	180	730	300	180	720	300	180	540	300
Arson	180	730	500	270	730	500	270	730	500	270	730	325	285	730	300
Fraud	60	365	200	60	450	200	60	450	200	60	365	200	70	365	200
Possess stolen property	60	365	300	60	365	300	60	365	300	60	365	300	60	365	300
Theft	30	365	150	30	365	200	30	365	200	30	365	200	30	365	200
Property damage/mischief	30	365	200	30	365	200	30	365	200	30	365	200	30	365	200
<b>Other Criminal Code offences</b>	<b>30</b>	<b>365</b>	<b>150</b>	<b>30</b>	<b>365</b>	<b>175</b>	<b>30</b>	<b>365</b>	<b>200</b>	<b>30</b>	<b>365</b>	<b>200</b>	<b>30</b>	<b>365</b>	<b>200</b>
Weapons	60	365	250	60	540	200	60	365	200	90	365	200	60	365	250
Administration of justice	21	365	100	20	365	145	20	365	150	20	365	150	20	365	150
Public order offences	15	360	200	15	360	200	15	360	200	15	360	200	30	360	200
Morals-sexual	15	365	200	15	365	200	15	365	200	10	365	200	12	365	200
Morals-gaming	1	360	500	..	360	500	3	360	750	7	360	750	16	360	1,000
Residual Criminal Code	30	365	200	30	365	200	30	365	200	30	365	200	30	365	200
<b>Traffic-related offences</b>	<b>30</b>	<b>360</b>	<b>500</b>	<b>30</b>	<b>360</b>	<b>500</b>	<b>30</b>	<b>360</b>	<b>500</b>	<b>30</b>	<b>360</b>	<b>500</b>	<b>30</b>	<b>360</b>	<b>500</b>
Criminal Code traffic	30	360	500	30	360	500	30	360	500	35	360	500	30	360	500
Impaired driving	30	360	500	30	360	500	30	360	500	30	360	500	30	360	500
<b>FEDERAL STATUTE OFFENCE</b>	<b>60</b>	<b>365</b>	<b>125</b>	<b>60</b>	<b>365</b>	<b>130</b>	<b>70</b>	<b>365</b>	<b>150</b>	<b>80</b>	<b>365</b>	<b>150</b>	<b>90</b>	<b>365</b>	<b>200</b>
<b>Drug-related offences</b>	<b>60</b>	<b>365</b>	<b>200</b>	<b>90</b>	<b>365</b>	<b>200</b>	<b>90</b>	<b>365</b>	<b>200</b>	<b>90</b>	<b>365</b>	<b>200</b>	<b>90</b>	<b>365</b>	<b>250</b>
Trafficking	120	730	750	120	730	600	120	730	650	150	730	500	120	365	700
Possession	15	365	200	20	365	200	20	360	200	15	360	200	15	360	200
<b>Other federal statutes</b>	<b>30</b>	<b>365</b>	<b>100</b>	<b>30</b>	<b>365</b>	<b>100</b>	<b>30</b>	<b>365</b>	<b>100</b>	<b>30</b>	<b>365</b>	<b>150</b>	<b>90</b>	<b>365</b>	<b>150</b>

- nil or zero

.. figures not available

<sup>1</sup> Revised figures for 1994/95, 1995/96, 1996/97, and 1997/98. Revisions were made to the calculation of median prison sentence lengths in 1998/99, and the previous four years were recalculated using the same formula. The calculation of median sentence length and median fine amount excludes unknowns.

**Note:** Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

in 1994/95 to 3,162 in 1998/99, an increase of 31%.<sup>16</sup> The number of offenders in the next longest category of sentence length (over 1 but less than two years) increased by 15%. Over the same period, the total number of offenders sentenced to prison declined by 5% (from 88,690 to 84,011). Clearly then, there has been a shift towards the imposition of longer sentences.

This trend toward longer sentences is reflected by the Adult Correctional Services (ACS) Survey. From 1994/95 to 1997/98 there was a decline in sentenced admissions to adult correctional institutions, while the daily count of inmates remained stable. This relative stability in the daily counts indicates that offenders are in custody longer, which would be partly influenced by the sentences imposed by the courts.<sup>17</sup>

Another way of conveying a sense of the increase in the use of longer sentences involves the calculation of "prison-years". The total annual number of prison-years is the sum of the

<sup>16</sup> The extent to which consecutive sentencing is used is currently not available, and as a result it is not possible to accurately calculate the aggregate prison sentence from ACCS data. For this reason the number of sentences of two years or more should not be used as a total count of cases with federal term sentences.

<sup>17</sup> The maximum time an offender stays in a correctional facility is based on the sentence imposed, but the actual length of incarceration are governed by the Corrections and Conditional Release Act (CCRA). Under this Act, most offenders will serve one-third to one-half of the imposed sentence, and after their release they will be expected to follow any additional sanctions imposed by the court at the time of sentencing. Thus, any increase in sentencing would impact the possible parole of the offender by raising the minimum incarceration time, but the impact this would have on the actual time served is not known.



length of prison sentences imposed, which is then converted into years. There has been a steady increase over the past five years in the number of prison-years imposed. In 1994/95, 27,000 prison-years were imposed by the adult criminal courts in the nine participating provinces and territories. This figure rose steadily over the next five years, to a peak of 30,000 in 1998/99. This represents an increase of more than 11% over the five-year period.

### Some offences show more dramatic increases in prison sentence lengths

As with many other variables examined in this *Juristat*, the increase in sentence lengths is not uniform across all offences. Some offences show a more marked increase than do others. The median sentence for the homicide offences rose from 1,825 days in 1994/95 to 2,190 in 1998/99, an increase of 20% (see Table 6). The median term imposed for sexual abuse cases rose 17%. The greatest increase for a high-frequency offence was for Sexual Assault and Common Assault. The median sentence increased by 50% over the five-year period, from 240 to 360 days for sexual assault, and from 30 to 45 days for common assault. In contrast to these trends, the median term imposed for some offences actually declined. For robbery, for example, the median sentence declined from 728 to 540 days.

### Factors contributing to longer sentences

#### Factors influencing sentence lengths

The median prison sentence length imposed against cases of *Federal statute offences* has increased between 1994/95 and 1998/99. One factor affecting this trend may be the reduced tolerance of drug-related offences, by police and the courts, and the recent introduction of the *Controlled Drugs and Substances Act* (CDA). Since 1994/95, there has been a steady increase in the median length of prison sentences imposed for *Federal statute offences*. (see Table 6) This includes drug offences in the offence categories *Drug-related offences* and *Other federal statutes*. There was a 50% increase in the median length of prison sentence from 60 to 90 days for *Drug-related offences* (i.e., possession and trafficking) between 1994/95 and 1995/96. All other drug offences — e.g., cultivation and importation sections of the NCA, FDA, and CDA — would be included under *Other federal statutes*. This offence category experienced a dramatic increase in the median length of prison from 30 to 90 days between 1997/98 and 1998/99. This increase corresponds with the enactment of the CDA.<sup>18</sup>

From 1994/95 to 1998/99, the median prison sentence length imposed for *Crimes against the person* has increased. The trend toward longer sentences in this category may be influenced by the criminal justice community's reduced tolerance toward crimes of violence, and in particular the zero tolerance policies towards crimes of domestic violence. In the last five years there has been a 50% increase in the median length of prison imposed for *Crimes against the person*, and the offences having the greatest impact were sexual assault, sexual abuse, and common assault.

### Effects of mandatory minimum sentences

In 1996, mandatory minimum prison sentences were attached to ten offences committed with a firearm. If a firearm is used in the commission of one of these offences, the court is obliged to send the offender to prison for at least four years. Prior to 1996, these offences carried no minimum punishment, even if a firearm was used. For example, before the creation of the mandatory minimum penalty for robbery, the average sentence length imposed for this offence was less than two years.<sup>19</sup> After the new law was passed, the minimum sentence that could be imposed (if a firearm was used) was four years imprisonment.

The mandatory minimum for these offences has had little impact on overall sentencing patterns. Statistics for robbery provide a good illustration. Despite the mandatory minima, the percentage of persons convicted of robbery and sentenced to imprisonment for at least four years was unchanged from 1994/95 to 1998/99 (17%). Overall, the percentage of cases receiving a prison sentence of four years or more actually declined slightly from 19% to 18% over the period 1994/95 to 1998/99.

A closer examination of firearms cases for 1998/99 shows that sentencing practices respect the four year minimum sentence, but that the number of cases is too low to dramatically impact the sentencing statistics for the larger offence category. For example, robbery had the largest number of cases with a firearm — 114 convicted cases in 1998/99 where robbery with a firearm was the most serious offence in the case. This represents 6% of all robbery cases sentenced to prison for this year (1,833), which is a proportion of total convictions that is too small to dramatically influence the median prison sentence length. Since the enactment of the mandatory minimum legislation in 1996, the median length of prison sentence for robbery cases have remained stable (540 days). Clearly, the effects of the mandatory minimum sentences of imprisonment require more detailed analysis.

### Use of probation

In 1998/99, as can be seen in Figure 14, *Crimes against the person* were most likely to attract a sentence of probation: almost three-quarters (72%) of convicted cases in this category were sentenced to a term of probation, compared to 53% of offenders convicted of a *Crime against property*. It should also be recalled that a substantial proportion of cases involving a *Crime against the person* received probation in addition to a term of imprisonment.

The offences with the highest proportion of probation sentences, ordered as the only sanction or in combination with other sanctions, were sexual abuse and abduction - 81%

<sup>18</sup> With the introduction of new drug legislation, some drug offences have been coded to the "Other Federal Statutes" category. This inflates the OFS group and undercounts drug offences. This will be corrected with changes to data collection programs.

<sup>19</sup> A. Birkenmayer and J. Roberts (1997) *Sentencing in Adult Provincial Courts*. *Juristat*, Volume 17, Number 1.



of cases involving this crime were sentenced to a term of probation. The "homicide and related" and impaired driving offences were least likely to receive a term of probation as a sanction, 16% and 15% respectively. Since the murder offences carry a mandatory sentence of life imprisonment (which rules out the possibility of probation), the "homicide and related" cases which received probation would be limited to manslaughter and infanticide.

## Trends in the use of probation

### Use of probation has been increasing

Judges in adult criminal courts are using probation more often as a sanction. As can be seen in **Table 4**, the percentage of all cases receiving a term of probation was 37% in 1994/95, 38% the following year, 41% in 1996/97, 43% in 1997/98, and 42% in 1998/99.

The same pattern emerges when examining specific offence categories. The percentage of cases attracting probation rose six percentage points for *Crimes against the person*, three for *Crimes against property*, five for the category *Other Criminal Code*, and nine for all *Federal statute offences*. The category *Other federal statutes* displayed the greatest increase in the use of probation, rising from 4% in 1994/95 to 20% in 1998/99.

Some individual offences showed increases in the use of probation that exceeded the increases of the aggregate categories. For example, the use of probation in cases of major assault rose from 61% in 1994/95 to 69% in 1998/99. Certain offences displayed a different pattern. The percentage of Trafficking cases that resulted in a term of probation declined from 47% to 39% between 1994/95 and 1998/99. Similarly, the use of probation for cases of impaired driving declined from 18% in 1994/95 to 15% in 1998/99.

### Length of probation terms stable over past five years

While the use of probation has increased over the past five years, there has been no change in the length of probation orders. The median length of all probation orders in 1998/99 was 365 days, unchanged from 1994/95 (see **Table 6**).

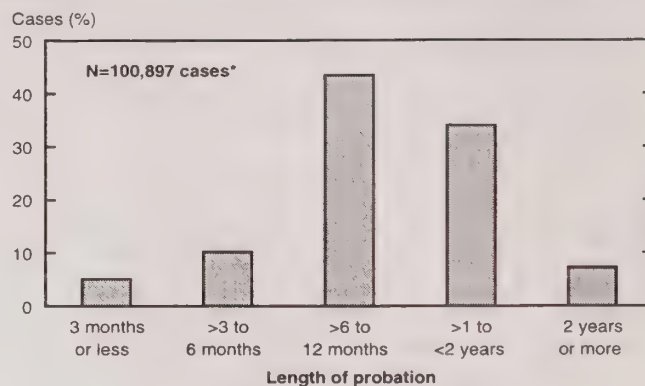
In 1998/99, the most common length for a term of probation was "greater than six months but less than one year" (43% of convicted cases). Slightly more than a third (34%) were between 12 months and two years. Sixteen per cent were for less than six months. Only 7% of probation terms were for a period of more than two years. (The statutory limit on a term of probation is three years). The distribution of probation terms is presented in **Figure 8**.

### Use of fines

Almost 100,000 offenders were sentenced to pay a fine in 1998/99. A large majority of cases receiving a fine (77%) were given fines of \$500 or less. The value exceeded \$1,000 in only 4% of all fines imposed (**Figure 9**).

Figure 8

### Cases by length of probation for the most serious offence Selected provinces and territories in Canada, 1998/99



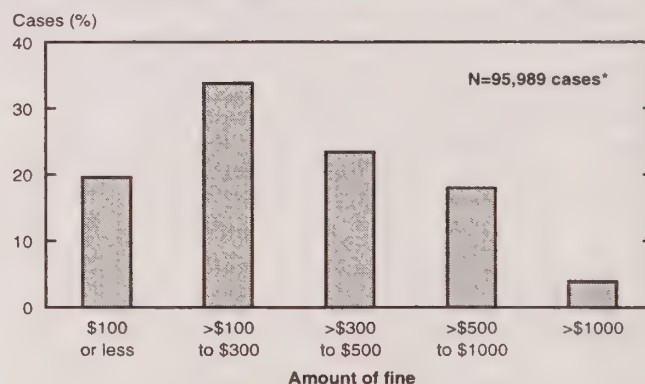
\* The length of probation was unknown in 77 cases where probation was ordered.

**Note:** Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Figure 9

### Cases by amount of fine for the most serious offence Selected provinces and territories in Canada, 1998/99



\* The amount of the fine was unknown in 1,299 or 1% of cases where a fine was imposed.

**Note:** Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.



**Table 4** presents a breakdown of the offence categories receiving a fine in 1998/99. The offence category resulting in the most frequent use of fines was *Traffic-related offences* (80% of cases). The reason for this is that the offence of impaired driving, which represents 86% of the convicted cases in this category, carries a mandatory penalty of a fine of at least \$300 for first-time offenders.<sup>20</sup> A fine was rarely imposed for cases involving a *Crime against the person*. For example, only 4% of cases involving sexual abuse and 2% of robbery cases resulted in the imposition of a fine.

Fines were more frequently imposed when the offence involved property loss or damage. Thirty percent of cases involving damage to property resulted in the imposition of a fine. Fines were also often imposed in drug cases, particularly those involving simple possession.

#### Use of Fines declined over the period 1994/95 to 1998/99

The historical pattern for fines is quite different from the trends for prison and probation. Over the same five-year period in which the imprisonment rate increased only slightly and the probation rate increased significantly, the use of fines declined dramatically. As can be seen in **Table 4**, fines were imposed in 47% of all cases in 1994/95, but only 40% in 1998/99.

The downward trend was observed in all of the major offence categories, with the exception of *Traffic-related offences*. The use of fines for *Traffic-related offences* increased by 6 percentage points. For all other offence categories, there was a decline. Cases resulting in a fine declined by 8 percentage points for *Crimes against the person* and *Crimes against property*, 5 for *Other Criminal Code*, 2 for *Drug-related offences* and 15 for *Other federal statutes* (see **Table 4**).

There was a tendency for the value of the fine imposed to increase over the five years. As can be seen in **Table 7**, the percentage of cases in the lowest fine category (\$100 or less) decreased, while the percentage of fines in the higher categories increased. Thus the percentage of all fines in the \$100 or less category declined by over 3 percentage points. The percentage of cases with fines in the \$500 to \$1,000 category increased by almost 2 percentage points and those with fines in excess of \$1,000 increased by almost 1 percentage point.

The tendency of fines to increase in value was counter-acted by a larger decline in the absolute number of fines imposed. Thus the total sum of money ordered to be paid to the state declined over the past five years. In 1994/95, the total amount of money ordered to be paid as a fine was 63.8 million dollars.<sup>21</sup> This total has declined steadily over the past five years (reflecting the decline in the number of fines imposed); in 1998/99, the total dollar amount was 54.2 million dollars. This represents a decline of 15% and almost 10 million dollars.

#### Summary

The five-year analyses reported here for the first time reveal an interesting combination of stability and change in terms of the adult provincial/territorial criminal court system. The total number of processed cases declined by 4% in 1998/99 compared to the previous year, and by 11% over the five-year period. This parallels the reduction in the number of incidents reported to police over the same time period.

There was little change in the variables which measured the processing of cases by the courts. Nineteen percent of cases were dealt with in a single appearance, a statistic which has not changed in recent years. Over the last five years, there has been a slight increase in the percentage of cases requiring 6 or more appearances – a suggestion that it is taking longer for some cases to be resolved in criminal courts.

The overall conviction rate, 62% in 1998/99, has changed very little over five years.

However, the five-year span of data presented here shows important changes in sentencing patterns. As can be seen in **Figure 10**, three different trends emerge in terms of the use of the three principal sanctions (i.e., prison, probation, and fines). Provincial/territorial court judges are using probation more often, and imposing fewer fines upon adult offenders. Interpreting the use of incarceration is somewhat more complex.

<sup>20</sup> Criminal Code, section 255(1) ai.

<sup>21</sup> The total fine amount imposed has been converted into constant dollars using the CPI (1992=100).

Table 7

#### Cases by amount of fine Selected provinces and territories in Canada, 1998/99

Fiscal Year	Case convictions with a fine	Amount of fine									
		\$100 or less		>\$100 to \$300		>\$300 to \$500		>\$500 to \$1000		>\$1000	
		#	%	#	%	#	%	#	%	#	%
1994/95	126,118	29,204	23.2	43,224	34.3	28,705	22.8	20,972	16.6	4,013	3.2
1995/96	120,219	27,133	22.6	41,267	34.3	27,915	23.2	19,857	16.5	4,047	3.4
1996/97	113,383	24,798	21.9	38,564	34.0	26,643	23.5	19,247	17.0	4,131	3.6
1997/98	101,886	19,935	19.6	34,292	33.7	24,870	24.4	18,991	18.6	3,798	3.7
1998/99	94,690	18,782	19.8	32,411	34.2	22,492	23.8	17,243	18.2	3,762	4.0

Notes: Percentages may not total 100% due to rounding.

Excludes cases with unknown fine amount

Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.



The number of offenders sentenced to prison has declined. This is partly a result of the decline in the number of convictions, which itself reflects the fact that fewer crimes are being reported to, and recorded by the police. The more important measure of incarceration patterns is the percentage of cases sentenced to prison, which increased from 33% to 35% over the 5-year period. As well, the length of custodial terms increased significantly. As one indication of this, between 1994/95 and 1998/99, there was a 31% increase in the number of offenders receiving a sentence of incarceration greater than two years. The median sentence length for cases was 30 days in 1994/95 and 45 days in 1998/99. The increase in sentence length is not uniform across all offences. It is specific to certain personal injury offences, particularly crimes of sexual and physical aggression. Judges are imposing harsher sentences in these types of cases.

It would be overly simplistic to suggest that judicial attitudes alone are responsible for an increase in the use of incarceration. Many factors contribute to the court's decision to impose a sanction, and then on the decision to set the duration of that sentence. For example, the trial process is governed by legislation, which as we have seen may result in the creation of mandatory sentencing provisions. Such legislative changes could influence both the type and magnitude of the sentence imposed following a conviction. In addition, other criminal justice professionals may also influence the sanction imposed. For example, judges who receive a joint submission on sentence from defence and Crown counsel will generally be guided by that submission. As well, if Crown counsel have advocated harsher sentences for specific offences – such as sexual assault or child sexual abuse – this will have an impact on the sentencing patterns for these offences. Thus, although the judge alone imposes the sentence, the nature and severity of the disposition will reflect much more than simply the individual judge's perceptions of the case.

Explaining the recent drift towards more frequent use of longer sentences of imprisonment will require further analysis, conducted over a longer period of time, and involving more than simply the sentencing patterns themselves. Nevertheless, these findings demonstrate that Canada is using incarceration to a greater extent than in the past. This trend comes at a time when crime rates are declining and when most western nations are attempting to expand the use of alternatives to incarceration.

## METHODOLOGY

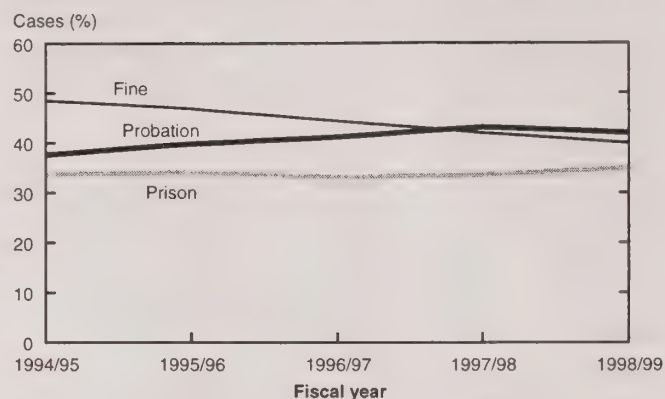
The purpose of the Adult Criminal Court Survey (ACCS) is to provide a national database of statistical information on the processing of cases through the adult criminal court system. The survey consists of a census of *Criminal Code* and other federal statute charges dealt with in provincial/territorial adult criminal courts.

### Coverage

Some limitations on coverage of the survey should be noted. First, three provinces (New Brunswick, Manitoba and British Columbia) are not included in the survey at this time. Second,

Figure 10

### Cases by type of sentence Selected provinces and territories in Canada, 1994/95-1998/99



**Note:** Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

some court locations in Quebec are not included. Information from Quebec's 140 municipal courts (which account for approximately 20% of federal statute charges in that province) are not yet collected. Finally, with the exception of Alberta, no data are provided from the superior courts.

The consequence of this last limitation is that the sentencing trends reported in this *Juristat* may slightly underestimate the severity of sentences imposed across Canada. The reason for this is that some of the most serious cases, which are likely to result in the most severe sanctions, will be processed in superior courts. While these limitations are important, they have existed for several years, and this means that it is possible to make comparisons from one year to another using the ACCS.

### Counting Procedures

The Adult Criminal Court Survey counts a charge more than once under any of the following circumstances:

- a charge is stayed in one time period and restarted in another time period;
- a charge is stayed and subsequently restarted with different case identifiers;
- a charge is transferred from one court location to another; and
- a charge is transferred to superior court but subsequently returns to provincial court with different case identifiers.

### Most Serious Offence and Disposition Rules

When a case has more than one charge, it is necessary to decide which charge will be used to represent the case (since a case is identified by a single charge). In such multiple charge



cases, the “most serious disposition” rule is applied. Dispositions are ranked from the most to the least serious as follows: 1) guilty, 2) guilty of a lesser offence, 3) committed for trial in a superior court, 4) other dispositions were imposed, 5) stay of proceeding, 6) acquitted, withdrawn, dismissed.

In cases where two or more offences have resulted in the same disposition (e.g., guilty), the “most serious offence” rule is applied. All charges are ranked according to a seriousness scale based on the average length of prison sentence. If two charges are tied according to this criterion, information about the sentence type (e.g., prison, probation, and fine) is considered. If a tie still exists, the magnitude of the sentence is considered.

### **Factors influencing the number of charges laid**

Charging policies are determined individually by provinces and territories. In Quebec, for example, the police must obtain the approval of the Crown prosecutor before a charge is laid. In other provinces and territories, the police have exclusive responsibility for the laying of a charge. This variability may affect the number and nature of charges laid across the country.

### **Comparisons with other sectors of the justice system**

#### **Policing:**

CCJS conducts the Uniform Crime Reporting Survey (UCR). This survey collects data on the crimes reported to the police.

Counts from the UCR for offences cleared by charge are not comparable to ACCS figures for charges disposed of. There are many reasons for this. In part, it is the result of scoring rules used by the UCR survey. The UCR counts violent offences in terms of the number of victims in the incident; non-violent offences are counted in terms of the number of separate incidents. Furthermore, the UCR figures include offences involving youths, while the ACCS case counts only include youth offences that have been transferred to adult court.

#### **Corrections:**

The number of cases sentenced to prison, as reported by the ACCS, will differ from the number of actual admissions to correctional facilities. CCJS conducts the Adult Correctional Services (ACS) Survey, which measures, among other things, the number of persons admitted to correctional facilities in Canada. Prison sentences and sentenced admissions to correctional facilities differ for the following reasons: (i) the number of sentenced admissions reported by the ACS includes persons sentenced to prison in superior courts and fine default admissions. Only one jurisdiction, Alberta, reports Superior Court data to the Adult Criminal Court Survey and prison sentences for reason of fine defaults are excluded, and (ii) any accused sentenced to prison-time-served would be counted differently in each survey. The ACCS does not have any data on the duration of the time already served, and the correctional data would identify these sentences as a remand prior to the completion of the trial.



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# Juristat

Canadian Centre for Justice Statistics

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## YOUTH COURT STATISTICS, 1998/99 HIGHLIGHTS

by *Denyse Carrière*

- In 1998/99, 106,665 cases were processed in the youth courts of Canada. This represents a 4% decrease from the previous year and a decrease of 7% from 1992/93. It also represents a 13% decrease in the number of cases per 10,000 youths from 1992/93; since that year, the rate has dropped from 500 cases to 435 cases.
- From 1992/93 to 1998/99, the rate of property crime cases decreased annually, dropping 31% over this period. On the other hand, the rate of violent crime cases has increased by 2% since 1992/93.
- Cases before youth courts most often involved property crimes (43%). While violent crimes made up slightly more than one-fifth of the caseload, close to half of these were minor assaults.
- Five offences accounted for a large proportion (59%) of the total caseload. These were theft under \$5,000, failure to comply with a disposition under the *Young Offenders Act* (YOA), breaking and entering, failure to appear/comply/breach of recognizance and minor assault.
- Older youths were involved in the majority of cases before youth courts; 16 year-olds accounted for 25% of the caseload, while 17 year-olds accounted for 26% of cases. Young offenders aged 15 were involved in 21% of cases while younger adolescents aged 12 to 14 years accounted for the remaining 26%.
- Females accounted for 21% of the caseload in 1998/99. This proportion has gradually increased from 18% in 1992/93.
- Two-thirds of cases heard in youth court resulted in a conviction. This proportion has remained virtually unchanged since 1992/93.
- Probation was the most significant sentence in 48% of all cases with convictions.
- Custody (open and secure) was ordered in over one-third of cases with convictions, with more than three-quarters of these cases having a sentence of three months or less.
- Custodial sentences are getting shorter. Cases with custodial sentences of three months or less accounted for 77% of custody cases in 1998/99 compared to 71% in 1992/93.
- Repeat offenders (defined as youths with at least one prior conviction) were involved in about four out of every ten cases with convictions.
- One-half of all youth court cases were dealt with by the courts within two months or less and 82% took 6 months or less.



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## INTRODUCTION

Providing effective treatment and rehabilitation of young offenders, and ensuring the safety of Canadian communities are primary objectives of the youth justice system. The *Young Offenders Act*, proclaimed in 1984, introduced rights for adolescents previously guaranteed for adults only. It recognized the special needs that youths have as a result of their varying levels of maturity, the necessity for youths to accept responsibility for unlawful action and the right of society to protection from illegal behaviour. In response to concerns about youth crime, the federal government will soon be replacing the *Young Offenders Act* with the *Youth Criminal Justice Act*. This new legislation proposes to treat young offenders committing serious violent crimes more severely than the present legislation while making previous to keep first-time offenders of less serious crimes out of the formal justice system.

This *Juristat* presents case-based<sup>1</sup> data from the Youth Court Survey (YCS) which is conducted by the Canadian Centre for Justice Statistics (CCJS) in collaboration with provincial and territorial government departments responsible for youth courts. The YCS collects data from youth courts on persons aged 12 to 17 at the time of offence, appearing on federal statute offences. In this report, federal statute offences include *Criminal Code* offences, drug offences, offences against the *Young Offenders Act* (YOA), and other federal statute offences. All youth courts in Canada have reported to the YCS since 1992/93.

The YCS, through the collection and dissemination of youth court information, continues to assist policy-makers and program managers as they redefine the nature of Canada's youth justice system. As not all youth crime is reported to police and not all youths in conflict with the law proceed to court, the YCS focuses on the court process and the response to youth crime rather the prevalence of youth criminal activity.<sup>2</sup> These data should therefore not be used as an indicator of total youth criminal activity.

## Seven Year Trends

### Decline in the rate of cases before youth courts

In the last seven years, the number of cases heard in youth courts has generally followed a downward trend; the 106,665 cases processed in 1998/99 represent a drop of 7% from 1992/93. However, in terms of the rate of youth court cases per 10,000 youths, the drop at the national level for the same period was more pronounced at 13% (Table 1). This decline occurred primarily on two occasions, the first, between 1993/94 and 1994/95 when the rate declined by 6.5% and the second, between 1997/98 and 1998/99, when the rate decreased by 4%.

### Marked drop in the rate of *Property crime* cases

A decrease of 31% in the *Property crime* case rate from 1992/93 to 1998/99 is responsible for the overall decline in the rate of cases during that period. In 1998/99, there were 186 *Property crime* cases heard per 10,000 youths compared to 271 cases per 10,000 youths in 1992/93 (Figure 1). The rate of *Property crime* cases decreased markedly for several major offence groups: theft (-36%), possession of stolen property (-34%), breaking and entering (-32%) and fraud (-28%).

In general, as can be seen in figure 1, the youth *Violent crime* rate varied little from 1992/93 to 1998/99. While it has increased slightly (+2%) since 1992/93, it decreased by 1% from 1997/98 to 1998/99. However, large increases over the seven years were noted for aggravated assault (+32%) and robbery (+28%). Together, these two types of crimes accounted for only 1% of the total caseload.

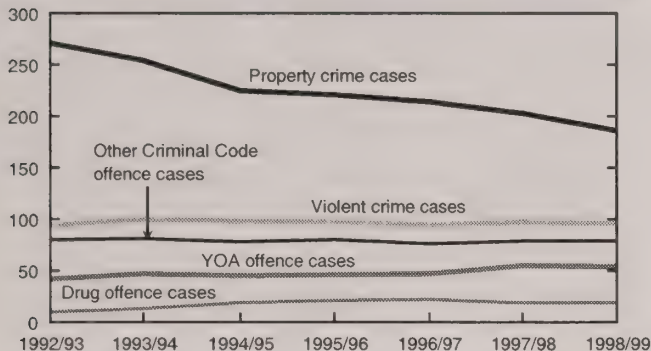
<sup>1</sup> See the methodology section for a case definition and other key concepts related to the YCS and this *Juristat*.

<sup>2</sup> Refer to *Juristat* "Canadian Crime Statistics, 1998" for counts of youths charged by police.



Figure 1

**The rate of property crime cases has dropped substantially since 1992/93 while the rates of other types of cases have varied little**



Source: Youth Court Survey, Canadian Centre for Justice Statistics.

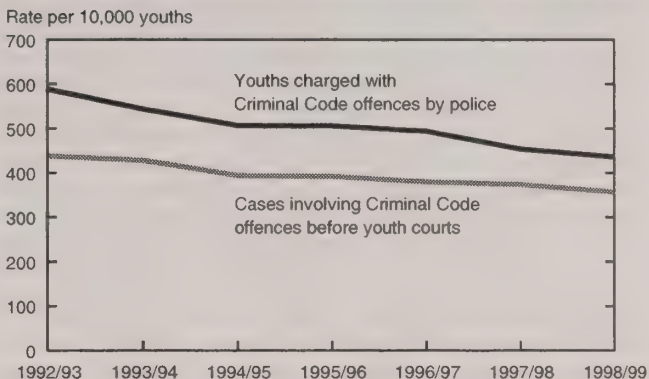
While the rate of cases of minor assault, which accounted for 10% of the total caseload, also increased, this change was more moderate (+2%). Significant decreases occurred with regard to other sexual offences (-39%), dangerous use of a weapon (-25%), possession of a weapon (-24%) and sexual assault (-21%).

While most offences under the *Other Criminal Code* offence category experienced declines, increases occurred in some administrative offence cases. For example, the rate per 10,000 youths of failure to appear cases before the courts has increased by 15% since 1992/93. As well, some low volume cases experienced notable increases, such as offences against the person and reputation (68%) and other Criminal Code offences (33%). As in the case of administrative offences, the rate of cases heard under the *Young Offenders Act* increased by 28%. Nearly all cases heard in this category dealt with failure to comply with a previous sentence.

Although the rate of *Drug-related offence* cases remained stable in 1998-99, it nearly doubled between 1992/93 and 1998/99. Most *Drug-related offence* cases involved possession of narcotics.

Figure 2

**The trends in police and court data closely correspond, showing decreasing involvement of youths in the criminal justice system**



\* To compare counts of Criminal Code offences from police data (Uniform Crime Reporting Survey) with youth court data (YCS), cases involving impaired driving and other motor vehicle offences have been removed from YCS counts.  
Source: Youth Court Survey, 1992/93 to 1998/99, and Uniform Crime Reporting Survey, 1992 to 1998, Canadian Centre for Justice Statistics.

### Rate of youths charged by police also decreases

A comparison of the rate of young persons charged by police and of cases processed by youth courts per 10,000 youths illustrates the diminishing involvement of youths in the criminal justice system in recent years. From 1992 to 1998, the rate of youths charged with only *Criminal Code* offences gradually declined by 26%, a pattern reflected in the rate of youth court cases involving *Criminal Code* offences brought to youth court, which declined (by 18%) during these years (Figure 2). This trend may be due in part to increased use of police diversion and alternative measures for youths committing less serious crimes. This would also serve to explain the decrease in the rate of *Property crime* cases observed since 1992/93.

Box 1 shows that, while youth account for 8% of Canada's total population, they represent 22% of persons charged by police. Nevertheless, the percentage of the youth population convicted of an offence in 1998/99 is quite low, at 3%.

#### Box 1 Youth and Youth Crime in Context

Population – 1998 <sup>1</sup>	<ul style="list-style-type: none"> <li>- total Canadian population was 30.3 million with 2.45 million youths aged 12 to 17 years (8% of total)</li> <li>- demographic projections for youths over the next 5 years suggest declines in most jurisdictions with the exception of Quebec, Ontario, British Columbia, the Northwest Territories and Nunavut. This is based on children aged 10 to 19.</li> </ul>
Persons charged by police in 1998 <sup>2</sup>	<ul style="list-style-type: none"> <li>- 542,279 adults and youths charged with federal offences, excluding traffic crimes</li> <li>- 117,036 of these were youths</li> <li>- youth represent 22% of all persons charged</li> </ul>
Youths convicted in court, 1998/99	<ul style="list-style-type: none"> <li>44,090 young offenders (71,961 cases with convictions)</li> <li>3% of the youth population of Canada were convicted</li> <li>4% of 16 and 17 year old population were convicted</li> </ul>

<sup>1</sup> Postcensal estimates as of July 1<sup>st</sup>, 1998, Demography Division, Census and Demographic Statistics Branch, Statistics Canada.

<sup>2</sup> Uniform Crime Reporting Survey, 1998, Canadian Centre for Justice Statistics, Statistics Canada.



## Inter-jurisdictional comparisons

Differences across the country in the reporting of criminal incidents to police, in procedures and eligibility requirements for police diversion and alternative measures programs, and differences in provincial policy directing Crown discretion may influence the volumes and characteristics of cases heard in youth courts. For example, Alternative Measures programs that are intended to be alternatives to formal judicial proceedings for youths, differ among the jurisdictions with regard to eligibility criteria (e.g., they may be restricted to first-time offenders), timing (i.e., pre-charge or post-charge) and coverage (e.g., they commonly involve less serious crimes only). Pre-charge screening by the Crown is mandatory in New Brunswick, Quebec, and British Columbia. Together, these processes serve to keep less serious cases out of the court process and therefore, reduce court workload. Consequently, these factors must be considered when making inter-jurisdictional comparisons.

The national rate of youth court cases shows a gradual decline from 500 cases per 10,000 youths in 1992/93 to 435 cases per 10,000 youths in 1998/99. However, this same trend is found only in Ontario where the rate dropped by 23%. In most other jurisdictions, the rate tended to fluctuate with no discernible pattern. In Quebec, the rate has been fairly stable over the period, showing a slight increase in 1998/99. However, the Quebec rate of youth court cases was also the lowest in the country throughout the period, at 201 cases per 10,000 youths in 1998/99, while the highest rate was recorded in the Yukon (1,456). For the provinces, in 1998/99, the highest rate was recorded for Manitoba, at 871 cases per 10,000 youth (Table 2).

## 1998/99 Case Characteristics

### Composition of cases

The types of cases processed in youth courts most often involved *Property crimes* (43%), *Violent crimes* (22%) and *Other Criminal Code offences* (18%), which includes offences

such as failure to appear in court and escaping custody. Less frequent were cases involving offences under the *Young Offenders Act* (12%), *Drug-related offences* cases (4%) and *Other federal statute offence* cases (<1%).

**Box 2**  
**Cases by Principal Offence Category, 1998/89**

	Number of cases	% of total cases
Property crimes	45,566	43
Violent crimes	23,564	22
Other Criminal Code offences	19,421	18
YOA offences	13,289	12
Drug-related offences	4,716	4
Other federal statute offences	109	< 1

Source: Youth Court Survey, 1998/99, CCJS

### A few offences account for a large proportion of the total caseload

While cases involving *Property crimes* accounted for the largest proportion of the caseload, only two of the five most frequent individual offences belonged to that category: theft \$5,000 and under accounted for 15% of the total caseload and breaking and entering accounted for 11%. The other three most frequent types of cases before youth courts involved *YOA offences* (12%) (the vast majority were failure to comply with a court disposition), *Other Criminal Code* administrative offences (11%) (i.e., failure to appear in court, failure to comply with a previous court order and breach of recognizance), and minor assaults which accounted for 10% of the total number of cases.

As can be seen in Figure 3, a very small number of offences accounted for a large proportion of the caseload. Together, the five types of offences mentioned above represented 59% of the caseload. In terms of frequency, these few offences far outranked all others reported to the Youth Court Survey.

**Box 3**  
**Description of crime categories**

**Violent Crime:** murder, manslaughter, attempted murder, aggravated sexual assault, sexual assault/weapon, sexual assault, rape/indecent assault, aggravated assault, assault with a weapon, cause bodily harm/intent, minor assault, unlawfully cause bodily harm, assaulting peace officer, other assaults, robbery, dangerous use of weapon, possession of a weapon, other weapon offences, infanticide and other related, kidnapping/hostage taking, extortion, other sexual offences, criminal negligence

**Property Crime:** breaking and entering, arson, taking a vehicle without consent, theft over \$5,000, theft under \$5,000, theft unspecified, theft other, false pretences, forgery, fraud, other fraudulent transactions, possession of stolen property, mischief/damage

**Other Criminal Code offences:** impaired operation, escape custody, unlawfully at large, failure to appear, breach of recognizance, failure to comply, attempt/accessories/conspiracy, disorderly conduct/ nuisances, abduction, procuring, bawdy house, soliciting, other motor vehicle of

fences, gaming and betting, against the administration of justice, currency offences, exposure/nudity, public morals, public order, offences against the person, other Criminal Code offences

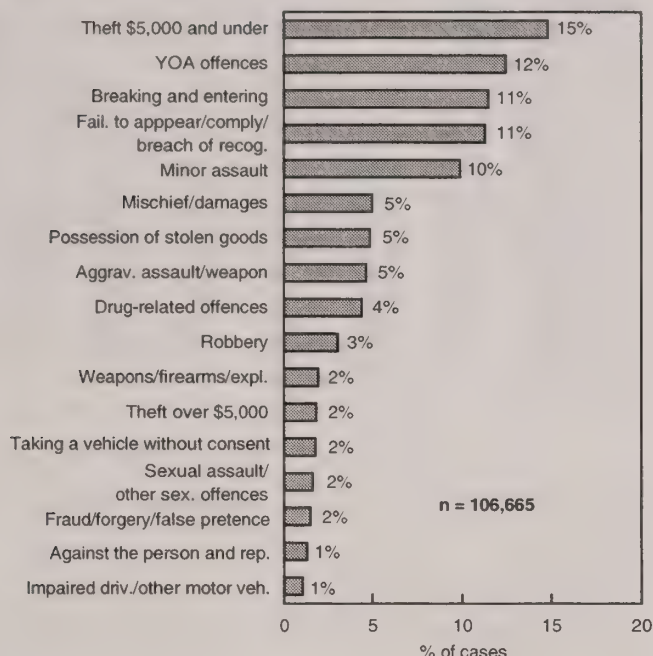
**Drug-related Offences (Narcotic Control Act, Food and Drugs Act, and Controlled Drugs and Substances Act):** importing/exporting of narcotics, trafficking in narcotics, possession of narcotics, failure to disclose previous prescriptions, cultivation, trafficking in drugs, possession of drugs, other Food and Drugs Act offences, importing/exporting of controlled drugs and substances, trafficking in controlled drugs, possession of controlled drugs.

**Young Offenders Act:** failure to comply with a disposition, failure to comply with undertaking, contempt against youth court, inducing/assisting a young person, interfering with performance of terms of sentence.

**Other federal statute offences:** This category includes offences against all other federal statutes not listed above, such as, the Income Tax Act, the Canada Shipping Act, the Elections Act, the Fisheries Regulations and the Employment Insurance Act. As this information is collected under a group code, it cannot be shown separately.

Figure 3

### Only a few offences accounted for a large proportion of the caseload in 1998/99



Source: Youth Court Survey, Canadian Centre for Justice Statistics.

### Minor assault cases accounted for almost one half of violent offence cases

While minor assaults<sup>3</sup> accounted for 10% of the total caseload, they made up 45% of all *Violent crimes*. Murder, manslaughter and attempted murder cases together accounted for less than 1% of *Violent crime* cases heard in youth courts. There were 37 cases of murder and manslaughter, and 71 cases of attempted murder in 1998/99.

#### Box 4 Violent Crime Cases, 1998/99

	Number of cases	% of violent cases
Minor assault	10,545	45
Aggravated assault/weapon	4,978	21
Robbery	3,263	14
Weapons/firearms/explosives	2,091	9
Sexual assault/other sexual offences	1,743	7
Murder/manslaughter/attempted murder	108	< 1
Other	836	3

Source: Youth Court Survey, 1998/99, CCJS

### Half of youth court cases involve 16 and 17 year olds

Sixteen and 17 year-olds appear more often in youth court than other age groups. In 1998/99, 16 year-olds accounted for 25% of cases and 17 year-olds made up 26%. Fifteen year-old young offenders represented the next most frequent age group, appearing in 21% of cases, while young offenders aged 12, 13 and 14 showed proportionately less involvement, accounting for 3%, 8% and 15% of cases, respectively (Table 3).

Younger adolescents appeared in youth court for different kinds of offences than older youths. Offenders aged 12, 13 and 14 years old were slightly more likely to be involved in *Violent crime* cases, being responsible for 5%, 10% and 16% of these types of cases, respectively.

Young offenders aged 16 and 17, on the other hand, were proportionately more involved in *Drug-related offences*. For example, while offenders in each age group were responsible for 25% of cases overall, they accounted for 27% and 34% of cases under the *Narcotic Control Act*, 30% each of cases under the *Food and Drugs Act* and 28% and 39% of cases under the *Controlled Drugs and Substances Act*<sup>4</sup>.

### Males account for eight in ten youth court cases

Males accounted for eight in ten youth court cases and they predominate in all age groups. The proportion of cases against males increased with age, while cases against 15 year old females accounted for the largest proportion of cases against females. Among males, 16 and 17 year-olds accounted for 54% of cases, while the comparable figure for females was 42% (Figure 4).

Court cases against females have risen slowly, from 18% of cases in 1992/93 to 21% in 1998/99. While the total number of cases before youth courts decreased from 115,187 in 1992/93 to 106,665 in 1998/99, the number of cases involving females rose from 20,775 to 22,535 in the same period. This increase was reflected in most categories of offences, but it was most evident in three specific categories: the *Other Criminal Code offences* category, where cases against females increased from 21% to 26% of all offences in this category, the *Violent crimes* category, which increased from 18% to 22%, and the *YOA offences* category, where there was an increase from 21% to 25% in the same period (Figure 5). Within the *Other Criminal Code offences* category, the proportion of cases against females increased substantially with regard to escape custody (from 10% to 15% of all escapes), unlawfully at large (from 13% to 18%), failure to appear (from 24% to 28% of all failures to appear) and offences against the person and reputation (from 22% to 27%). In fact, for escape custody, while the number of cases involving males dropped, those involving females increased. Within the *Violent crimes* category, the most marked increases for females were recorded for cases involving murder, all types of assault (except aggravated assault), robbery and kidnapping/hostage taking.

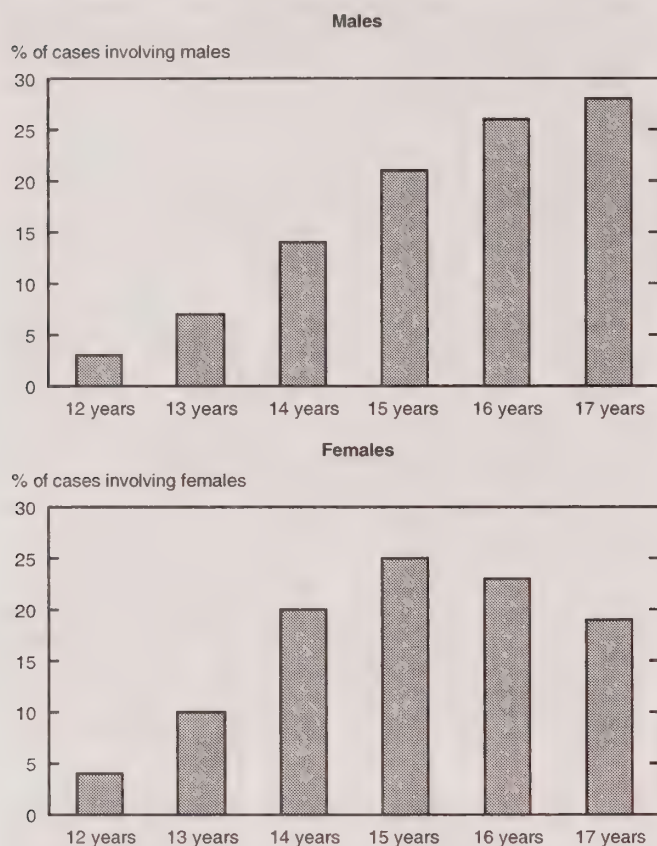
<sup>3</sup> Refers to the least serious form of assault and includes pushing, slapping, punching and face-to-face verbal threats.

<sup>4</sup> The controlled Drugs and Substances Act replaced the Narcotic Control Act and parts III and IV of the Food and Drugs Act in May of 1997.



Figure 4

**For females, court activity peaks at age 15 while male activity continues to increase**



**Note:** Excludes 2,306 cases (2.0%) where the young offender was <12 years old, older than 17 or the age was unknown.

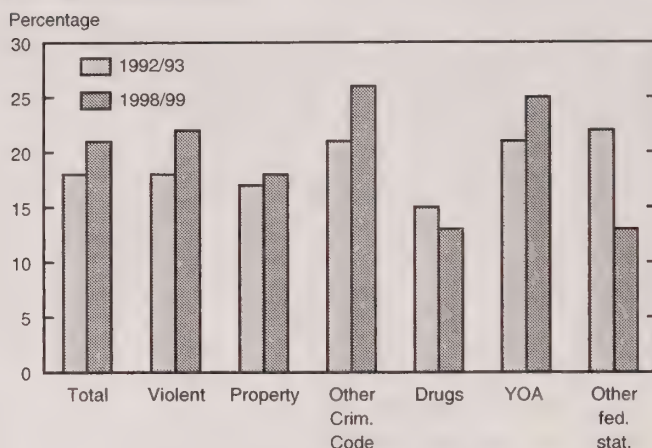
**Source:** Youth Court Survey, Canadian Centre for Justice Statistics.

While the proportion of *Property crime* cases involving females rose only slightly, specific offences within that category showed noteworthy increases. Females had proportionately more cases of breaking and entering, taking a vehicle without consent, false pretences, possession of stolen property and mischief/damage offences.

Between 1992/93 and 1998/99, there was a decline in the proportion of cases against females involving *Drug-related offences* (from 15% to 13% of all drug-related offences) and *Other federal statute offences* (from 22% to 13%). With regard specifically to *Drug-related offence* cases, however, the actual number of cases involving females increased from 346 in 1992/93 to 608 in 1998/99. The lower proportion of cases involving females is due to the remarkable increase in the total number of cases in that category from 2,331 to 4,716 over the same period.

Figure 5

**Female involvement rose in all but two categories of offences from 1992/93 to 1998/99**



**Proportion of cases involving females in each category**

**Source:** Youth Court Survey, Canadian Centre for Justice Statistics.

#### Box 5 Victims of Youth Violence

Victims of youth violence are more often other youths and male youths in particular.\*\* In 1998, more than half (52%) of all victims of youth violence were other youths, 11% were children under the age of 12, 10% were young adults aged 18 to 24 years, while the remainder of the victims were adults aged 25 and older (27%). In contrast, victims of all violent offences perpetrated by adults were much more likely to be adult; 9% were 12 to 17 years old, 4% were children under the age of 12 and 87% of them were 18 years and older. These figures exclude incidents where the age of the victim was unknown.

Almost six in ten victims (59%) of youth violence were male. The corresponding proportion for crimes committed by adults was 54%. These figures exclude incidents where the sex was unknown.

\*\* *Youth Violent Crime*, Juristat no. 85-002-XPE, Vol. 19, no. 13 and Revised Uniform Crime Reporting Survey, 1998

## Decisions in Youth Court

### About two-thirds of youth court cases result in a conviction

Cases resulting in a conviction (a finding of guilt for at least one charge) accounted for 67% of cases heard in youth court in 1998/99 (Table 4). Cases were stayed or withdrawn in 29% of cases, and another 3% resulted in findings of not guilty or dismissal. Transfers to adult court accounted for just one-tenth of one percent of the 1998/99 caseload. These proportions have remained virtually the same since 1992/93.

Revisions to the YOA in 1995 made transfers to adult court the standard response for serious violent crime cases involving 16 and 17 year-olds, unless otherwise ruled by the court. This provision applies to murder (first or second degree), manslaughter, attempted murder and aggravated sexual assault. For these offences, the onus is on the accused to make an application to stay in youth court. For other crimes, the Crown or defence counsel must apply for transfer to adult court. Conditions stipulated in the Act for these transfers include a minimum age requirement of 14 years of age.

As can be seen in the text box, the proportion of young offenders aged 16 or 17 years transferred to adult court was higher than their percentage of total cases. While young offenders aged 17 were involved in 26% of cases, they accounted for 57% of transfers.

Of the 91 cases transferred to adult court in 1998/99, 59% involved *Violent crimes* and 30%, *Property crimes*. Of the 54 cases involving *Violent crimes*, 15 were robberies (16%).

**Box 6**  
**Percentage of transfers to adult court, 1998/99**

Age	Percentage of total cases	Percentage of transfers to adult court
14	15	3
15	21	10
16	25	30
17	26	57

Source: Youth Court Survey, 1998/99, CCJS

### Conviction rates vary considerably from one jurisdiction to another

The proportion of cases resulting in a conviction ranged from a low of approximately 60% in Manitoba, Yukon, and Ontario, to a high of 84% and over in Prince Edward Island and New Brunswick (Table 4). The proportions of charges withdrawn or stayed tend to vary considerably across the country and are usually high where the conviction rate is low. These variations can in part be explained by differences in charging practices. High proportions of cases stayed or withdrawn are often indicative of charges set aside pending completion of alternative measures programs, or the systematic use of these decisions to correct or amend administrative records. For example, Manitoba, where the conviction rate was lowest, recorded the highest proportion of cases stayed (40%). Conversely, percentages of cases withdrawn or stayed were lower in jurisdictions with higher conviction rates (15% of cases stayed or withdrawn in Prince Edward Island and 11% of cases withdrawn in New Brunswick) (For more details, see the Methodology section.) (Table 4).

The conviction rate varied somewhat among offence categories. *Other federal statute offences* and offences against the *Young Offenders Act* had the highest conviction rates (both 75%), while *Other Criminal Code offences* recorded the lowest proportion of guilty verdicts (63%). Within each offence category, there were considerable variations. The rate of conviction was 75% or higher for the following offences for which there were at least 200 cases: unlawfully at large, escape custody, impaired operation, breaking and entering, assaulting a police officer, theft over \$5,000, trafficking in narcotics and failure to comply with a disposition. Generally speaking, the more serious offences resulted in lower conviction rates.

**Box 7**  
**Conviction by offence category, 1998/99**

Most significant charge	Total	Guilty	% Guilty
<b>Total offences</b>	<b>106,665</b>	<b>71,961</b>	<b>67</b>
Violent crimes	22,284	14,373	64
Property crimes	45,336	31,100	69
Other Criminal Code offences	20,295	12,792	63
Drug-related offences	4,755	3,175	67
Young Offenders Act	13,884	10,438	75
Other federal statute offences	111	83	75

Source: Youth Court Survey, 1998/99, CCJS

**Box 8**  
**Percentage of conviction by Sex, 1998/99**

Most significant charge	Total	% Male	% Female
<b>Total offences</b>	<b>67</b>	<b>68</b>	<b>64</b>
Violent crimes	64	65	64
Property crimes	69	71	59
Other Criminal Code offences	63	63	62
Drug-related offences	67	68	61
Young Offenders Act	75	74	78
Other federal statute offences	75	79	43

Source: Youth Court survey, 1998-1999, CCJS



The conviction rate was not the same for males and females. For males, it was 68% while for females, it was slightly lower, at 64%. For three categories of offences, the conviction rate was substantially lower for females than for males. These were: *Other federal statute offences* (36 percentage points lower), *Property crimes* (difference of 12 percentage points) and *Drug-related offences* (7 percentage points lower).

With regard to the *Young Offenders Act* category, the rate of conviction for females was slightly higher than that for males. Within the *Property crimes* category, the difference in the conviction rate between males and females was more pronounced for theft under \$5,000, theft unspecified and possession of stolen property offences. For these three offences, the rate of conviction for females was 14 percentage points lower than the rate for males. For cases involving mischief/damages, on the other hand, the conviction rate was higher for females than males (67% versus 64%).

## Sentencing in Youth Court

Factors considered in sentencing include the type of offence committed, the circumstances in which the offence was committed, the criminal history of the offender and, in the case of custody under section 24(1) of the YOA, "the protection of society" and "the needs and circumstances of the young person".

### Most youth court sentences are served in the community

In 1998/99, probation was the most significant sentence in one-half of cases with convictions (48%). Open custody was the next most frequent sentence (18%), followed by secure custody (17%; 35% for both types of custody), community service (7%), and fines (6%). In addition, 2% of cases ended in an absolute discharge and 3% received another type of sentence. The distribution of most significant sentence types has varied little since 1992/93 (Table 5).

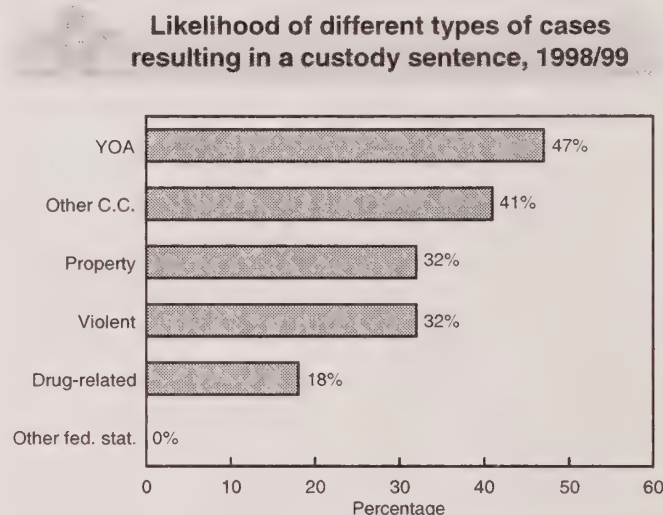
The percentage of some sentence types appears low because multiple sentences are often imposed by the courts. In these cases, the less serious sentence types would be given in combination with a more serious sentence. For example, the percentage of cases with a community service order appears low because, in most cases, these orders are used as a condition of probation which is a more serious sentence. In fact, 29% of all cases resulting in a conviction included a community service order in 1998/99 and most of these orders were given in combination with a more serious sentence (22% of all cases, 75% of all community service orders).

Many cases result in more than one sentence for a young offender. In 1998/99, 47% of all cases with a conviction gave rise to one sentence, 39% resulted in two sentences, and 14% resulted in three or more sentences. For those cases ending in multiple sentences, the most frequent combinations include probation and a community service order (28%), open custody and probation (14%), and secure custody and probation (7%).

### Offences against the Young Offenders Act are more likely to result in a term of custody

Figure 6 shows that of all offence categories, cases involving offences against the *Young Offenders Act* (47%) and *Other Criminal Code offences* (41%) are most likely to result in a term of custody. Within the *Young Offenders Act* offence category, the great majority of cases involved failure to comply with a disposition offences and in the *Other Criminal Code offences* category, it is the administrative offences which were responsible for the higher proportion of custody sentences. These included escape from custody/being unlawfully at large (91%) and failure to appear/comply with a disposition/breach of recognizance (41%).

Figure 6



Source: Youth Court Survey, Canadian Centre for Justice Statistics.

Although cases involving *Violent crimes* and *Property crimes* were less likely to result in a sentence of custody, certain offences within these categories were associated with a high percentage of these types of sentences: attempted murder (92%), murder/manslaughter (83%), aggravated assault (71%), and robbery (50%) (Table 5).

### Probation sentences more likely to be ordered in relation to *Violent crime* cases

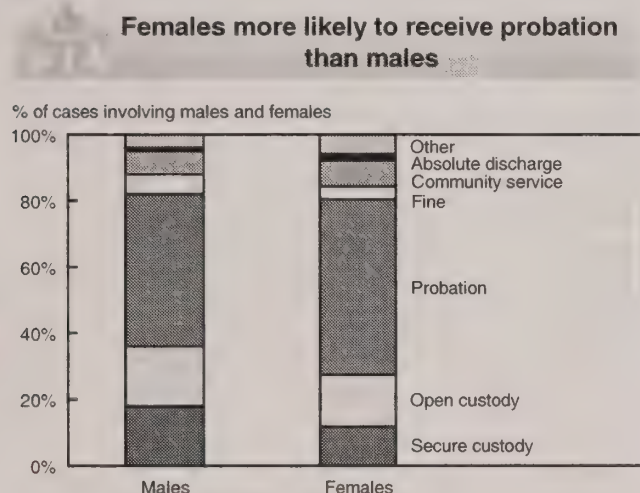
The proportion of probation sentence varied as well among offence categories. Probation was more often ordered in *Violent crime* cases, more specifically those involving sexual assault/other sexual offences and minor assault (both 62%). As well, *Property crime* cases (54%) and *Drug-related offence* cases (53%) more often resulted in probation. Within the *Property crimes* category, cases involving taking a vehicle without consent (59%) and mischief/damages (58%) were the most likely to result in a probation sentence.

As can be expected, fines were more likely to be imposed in cases involving impaired driving/other motor vehicle offences (46%). Of all types of offences, cases of offences against the *Young Offenders Act* were most likely to result in a community service order (11 %) (Table 5).

### Females more likely to receive probation than males

While one-half of convictions ended in a term of probation overall, females were more likely than males to receive probation as the most significant sentence in 1998/99 (54% versus 46%). The differences between male and female young offenders were also apparent with regard to custody sentences. Thirty-six percent of cases involving males ended in a term of custody compared to 28% for females. Differences in other types of sentences were slight (Figure 7).

Figure 7



Source: Youth Court Survey, Canadian Centre for Justice Statistics.

### The use of custody varies widely across Canada

The jurisdictions varied widely in the use of custody as well as other sentences. The use of secure custody ranged from 2% of cases with convictions in Nova Scotia to 35% in Yukon. The situation with regard to open custody was reversed, the proportion of cases with convictions resulting in open custody being highest in Nova Scotia (33%) and lowest in the Yukon (7%). The combined use of open and secure custody ranged from just over one-quarter of cases in Alberta (26%) to slightly less than one-half of convictions in Prince Edward Island (45%). In Yukon, the proportion of total custody orders was higher than the percentage of probation orders imposed: these figures were 42% for both open and secure custody, and 40% for probation. The availability of custodial facilities may have an impact on the use of custody orders across the country.

The use of probation orders was highest in New Brunswick (60%) and lowest in the Northwest Territories (39%). The province of Alberta shows an overall sentencing pattern that is somewhat different from the other jurisdictions. In this

province, secure and open custody sentences, and probation sentences are ordered in proportions which are below the national figures, while the proportions of fines (15%) and community service orders (13%) are significantly above the national figures. Two other provinces reported proportions of community service orders which were higher than the national figure of 7%; these are Quebec (8%) and Saskatchewan (12%) (Table 6).

### Sentence lengths

Under the YOA, the maximum sentence length of secure or open custody is generally two years. However, this sentence can be three years if the crime would normally carry a maximum penalty of life imprisonment in adult court or involves multiple offences. In addition, the most serious crimes (first or second degree murder) carry higher sentences. First-degree murder carries a maximum custodial sentence of six years, followed by four years of conditional supervision. Second-degree murder carries a maximum four-year custodial term followed by three years of conditional supervision. However, not all murder cases first heard in youth court are sentenced in youth court as the YOA transfer provisions to adult court would apply.

#### Box 9

##### Sentence Review

The length of sentence ordered by the court may be subject to revision under conditions stipulated in the *Young Offenders Act*. A court or review board must review all custodial sentences after one year and may reduce the term or type of disposition at that time. Otherwise, the initial sentence ordered is to be served. There is no parole or statutory release in the *Young Offenders Act*. Sentences are subject to review upon request by the parent or young offender, although permission must be granted by the court if less than six months have been served. The principal correctional service administrator (Provincial Director) may ask the court for a review hearing if a revision to the sentence would be in the youth's best interest.

### The majority of custodial sentences are for three months or less

Of the 25,169 cases resulting in a custodial sentence (open and secure) in 1998/99, 32% were for terms of less than one month, 45% were from 1 to 3 months, 16% from 4 to 6 months, and 7% were for more than 6 months. The proportion of cases with short custodial sentences (three months or less) has increased from 71% of cases with convictions in 1992/93 to 77% in 1998/99.

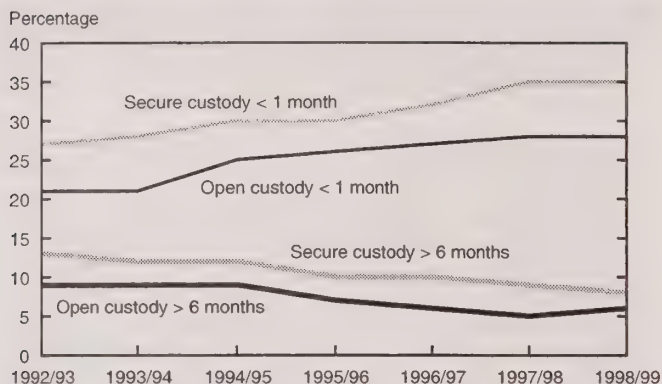
Of the cases resulting in open custody in 1992/93, 21% were for terms of less than one month, compared to 28% in 1998/99. For secure custody cases, the proportion with orders of less than one month increased from 27% in 1992/93 to 35% in 1998/99. From 1997/98 to 1998/99, there was no change in the proportions of custody orders of less than one month (Figure 8).

In 1998/99, the median sentence length for cases resulting in custody was 1 month. For secure custody alone, it was 1 month, while for open custody, it was a little longer, at



Figure 8

### Shorter lengths of custody showed little variation in 1998/99 from the previous year



Source: Youth Court Survey, Canadian Centre for Justice Statistics.

43 days. Cases involving murder (6 cases) and attempted murder (11 cases) had the highest median custodial lengths (32 months and 18 months respectively). These were followed by causing bodily harm with intent (7 cases) at 9 months, sexual assault with a weapon (12 cases) at 8 months, manslaughter (8 cases) at 7 months, and both sexual assault (199 cases) and aggravated assault (137 cases), both at 6 months. Breaking and entering and theft of goods valued over \$5,000 resulted in median sentence lengths of 3 months, followed by forgery, theft unspecified and possession of stolen property at 2 months.

Several cases involving *Other Criminal Code offences* resulted in fairly long custodial sentence lengths. For cases of procuring (3 cases), the median sentence length was 17 months, for offences against the public order (12 cases), it was 6 months, while for exposure/nudity (6 cases) it was 4.5 months.<sup>5</sup>

### Four in five terms of probation are 12 months or less

Under the YOA, youth courts may sentence a young offender to probation for a maximum of two years. In 1998/99, a probation order was the most significant sentence for 48% of convictions. Of the 34,451 cases resulting in a term of probation as the most significant sentence, 23% were for a period of 6 months or less, 55% ranged from 7 to 12 months, and 22% were for more than 12 months. The median sentence length for a probation sentence was just under 1 year.

Probation, as the most significant sentence, was ordered most often for cases involving minor assault (62%), sexual assault/other sexual offences (62%), and trafficking in drugs (61%). However, the longest median term of probation, 21 months, was imposed in relation to criminal negligence offences (4 cases). For cases involving sexual assault, other sexual offences and aggravated assault, the median length of the probation was 18 months.

### One-half of fines are \$100 or less

Under the YOA, a young offender may be ordered to pay a fine with a maximum of \$1,000. In 1998/99, 4,081 cases or 6% of convictions ended in a fine as the most significant sentence. Fines greater than \$100 to \$500 were most often ordered (45%), followed by fines greater than \$50 to \$100 (42%), less than \$50 (11%) and over \$500 (2%). The average dollar amount of fines was \$165.

Fines, as the most significant sentence, were ordered most frequently in cases involving the impaired operation of a motor vehicle (418 of the 712 convictions for impaired operation or 59%). Conviction for this offence resulted in one of the highest average fines (\$359). Only two types of offences resulted in average fines higher than this amount: failure to appear (\$362) and sexual assault (\$400). The three types of cases most frequently heard in youth courts ended in lower fines, an average of \$120 for failure to comply with a disposition under the YOA, \$130 for theft under \$5,000 and \$227 for breaking and entering.

## Repeat offenders

### Repeat offenders are involved in four in ten convictions

As in previous years, in 1998/99, approximately 42% of cases with convictions involved repeat offenders.<sup>6</sup> In comparison to first-time offenders, repeat offenders tended to be brought to court more often for *Property crimes* and conversely, less often for *Violent crimes* than first-time offenders. In 1998/99, for repeat offenders, 57% of cases involved property crimes and 25% violent crimes. Comparable figures for first-time offenders were 50% and 31% respectively. The use of police diversion and alternative measures programs for first-time offenders of minor property crime may have contributed to this difference.

Males tend to re-offend at a higher rate than females. In 44% of cases involving males in 1998/99 which resulted in a conviction, the young offender had been previously convicted; the corresponding figure for female offenders was 34%.

Unlike repeat offenders, first-time offenders were most likely to be given a term of probation (Figure 9). In 1998/99, 67% of convictions for first-time young offenders ended in probation compared to 39% for repeat offenders. Repeat offenders were three times more likely to be ordered to serve a term of

<sup>5</sup> The YCS does not distinguish between consecutive and concurrent sentences and does not include sentencing revisions made under review by the court. In multiple sentence cases, for example, the sentence length may be underestimated because of the assumption of concurrent sentences for all charges and may not reflect actual time ordered.

<sup>6</sup> The information on repeat offenders was obtained by selecting young offenders convicted in 1998-99 from the case file by date of sentencing and tracking any previous convictions for them from 1990-91 to 1997-98. The repeat offender analysis excludes Nova Scotia for all years, all offences under the YOA and post-disposition offences under the Criminal Code (e.g. failure to comply, unlawfully at large and escape). Because of this, the number of cases presented in this section does not correspond to the number of cases reported elsewhere in the Juristat.

custody (46%) than were first-time offenders (14%). This wide gap was apparent for both *Violent crime* cases (53% of convictions resulting in custody for repeat offenders versus 18% for first-time offenders) and *Property crime* cases (45% versus 12%).

The most troublesome offender for the criminal justice system is the persistent offender, that is, the young offender who has been through the system many times. In 1998/99, persistent offenders, defined in this report as offenders with at least three prior convictions, accounted for 12% of convictions (5,474 cases). Again, males were more likely to be persistent offenders than females (4,902 cases or 13% of the male caseload versus 572 cases or 7% of the female caseload). The average number of cases per young offender in a year is 1.5.

As young offenders move towards persistent re-offending, the number of charges per case increases. For example, while only 16% of cases involving first-time offenders had 4 or more charges, this proportion increased to 24% for repeat offenders with one prior conviction, 29% for those with 2 prior convictions and 31% for repeat offenders with 3 prior convictions or more.

In addition, repeat offenders tend to receive harsher sentences as the number of prior convictions increase. In 1998/99, 14% of cases involving first-time offenders resulted in a custody term, while this type of sentence was imposed in 33% of cases involving repeat offenders with 1 prior conviction, 48% of repeat offenders with 2 prior convictions and 66% of repeat offenders with 3 prior convictions or more.

## Case Processing

### One-half of all cases are processed in two months or less

The successful rehabilitation of a young offender is often reliant on a prompt court process. In 1998/99, one-half of all cases (49%) were processed in two months or less from the time of the youth's first court appearance to the date of decision or sentencing, with only 18% of cases lingering longer than six months. In fact, 16% of cases were completed at the first court appearance.

Cases dismissed, cases resulting in a verdict of not guilty and cases transferred to adult court take the longest to process. Sixty-five percent of cases dismissed, 48% of cases resulting in a verdict of not guilty and 44% of cases transferred to adult court spent more than four months in the youth courts before the decision was handed down. Overall, 31% of cases took more than four months to process, while 27% of cases resulting in a guilty verdict spent longer than 4 months in court.

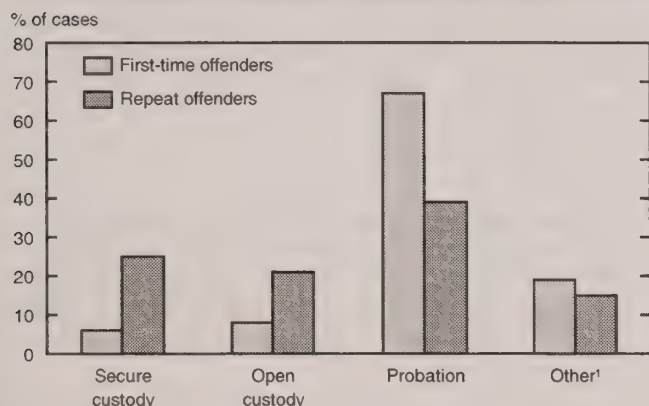
In 1998/99, the median elapsed time for all cases was 63 days. Manitoba had the longest median elapsed time at 88 days, followed by the Northwest Territories (76 days) and Nova Scotia (70 days).

The type of offence in a case has a significant impact on the amount of time it takes to complete it. Cases involving *Violent crimes* had by far the longest median elapsed time (103 days), followed by *Property crime* cases (63 days) and *Drug-related offence* cases (58 days). Within the *Violent crime* category, cases taking a long time to complete involved murder (203 days), sexual assault with a weapon (192 days) and criminal negligence (158 days). Within the *Property crime* category, the highest median elapsed time recorded was 95 days for arson followed by 74 days for breaking and entering, and 68 days for forgery. The median elapsed time was low for administrative offences such as unlawfully at large (3 days), escape custody (9 days), failure to appear (43 days) and failure to comply with a probation order (48 days), as well as for impaired driving cases (44 days). The median elapsed time of cases involving males was somewhat longer than for females. For males, it was 63 days and for females, it was somewhat lower at 59 days.

In 1998/99, 58% of cases involved only one charge, 23% had two charges, 9% three charges and 10% more than three charges. The number of charges in a case does not seem to have much of an impact on the median amount of time taken to process cases in court. Surprisingly enough, the lowest median elapsed time was recorded for cases with 6 charges or more (61 days), followed by single-charge cases (62 days). For all other cases, the median elapsed time was higher: for cases involving 2 or 3 charges, it was 65 days, for cases involving 4 charges, it was 64 days and for cases involving 5 charges, it was 66 days.

Figure 9

### Repeat offenders are three times more likely than first-time offenders to serve terms of custody and much less likely to receive probation



\* Only the most significant sentence is indicated.

<sup>1</sup> Other includes all other sentences, for example, community service, absolute discharge, conditional discharge and fines.

**Note:** Excludes data from Nova Scotia, YOA offence cases and post-dispositional administrative offence cases.

**Source:** Youth Court Survey, Canadian Centre for Justice Statistics.



The shorter median elapsed time recorded for cases with 6 charges or more can in part be explained by the fact that this group of cases tends to have a higher percentage of *Property crime* cases, which have lower median elapsed times than cases involving violent crimes. While the proportion of *Property crime* cases for the total caseload was 43%, for cases with 6 charges or more, it was 64%, which was also higher than that of any other group. Also, the proportion of *Violent crime* cases was lower for cases with 6 charges or more (28%) than it was for cases involving 3, 4 or 5 charges (31%, 33% and 33% respectively).

## Methodology

The Youth Court Survey (YCS) is a census of *Criminal Code* and other federal statute offences heard in youth court for youths aged 12 to 17 (up to the 18th birthday) at the time of the offence. Though every effort is made by respondents and the Canadian Centre for Justice Statistics (CCJS) to ensure complete survey coverage, slight under-coverage may occur in some jurisdictions. Refer to the publication *Youth Court Data Tables, 1998/99* for more information on data collection, editing, and compilation.

The unit of analysis is the case, defined by the YCS as one or more charges laid against a young person first presented in a youth court on the same day. Case counts are categorized by the most significant charge, most significant decision and the most significant sentence. Consequently, less serious charges, decisions and sentences are somewhat under-represented.

The determination of the most significant charge at the beginning of court proceedings is by the ordering of charges from most to least serious. Violent charges are given first priority in the ordering process, followed by drug and narcotic offences, property offences, other *Criminal Code* offences, offences under the *Young Offenders Act* (YOA), and other federal statute offences. Offences are further ranked within these offence categories. Refer to the publication *Youth Court Data Tables, 1998/99* for more information on the ordering criteria.

Since a case with more than one charge may have more than one type of decision, the "most significant decision" has been selected for analysis on the basis of the following order from most to least serious: transfer to adult court; guilty; other decision (e.g., not fit to stand trial); stay of proceedings; charge withdrawn; or transfer to other jurisdiction; and not guilty or charge dismissed. The case is described by the most serious or "significant" charge in the case, which is associated with the court decision.

The most significant sentence is determined by the effect that the sentence has on the young person. Sentences are ordered from most to least serious as follows: secure custody, open custody, probation, fine, compensation, pay purchaser (a dollar amount paid back to the innocent purchaser of stolen goods), compensation in kind, community service order, restitution, prohibition/seizure/forfeiture, other sentences, conditional discharge and absolute discharge.

The reader is advised that the use of the decisions 'stay' and 'withdrawn' for administrative purposes (e.g., to reduce charges or to correct details on an information) vary by jurisdiction. To terminate and recommence a case for administrative purposes has been found to inflate the total number of cases reported to the Youth Court Survey. As much as 30% of the national caseload is stayed or withdrawn and a proportion of these are the result of administrative procedures. Ontario, Manitoba, Alberta, British Columbia and Yukon are most affected by this practice. Consequently the reader is encouraged, where possible, to analyze cases with guilty findings (convictions) to increase comparability among the jurisdictions.

Differences in data over time and across jurisdictions result from a number of factors that reflect how the YOA has been implemented. Pre-court screening procedures may affect the number of youth appearing in court. The Crown Attorney, for example, may decide not to proceed with a charge, or the initial charge may be changed. Pre-charge screening by the Crown is mandatory in New Brunswick, Quebec and British Columbia. A youth may also be diverted from the court process into a program such as Alternative Measures (either before or after police lay charges) or a police diversion program.

Alternative Measures (AM) programs are generally reserved for first-time offenders and are often limited to specific types of less serious offences, although young offenders committing more serious offences can be considered for acceptance in the program in most jurisdictions. Except for New Brunswick, Ontario and Yukon, all AM programs are combined pre- and post-charge programs where the preferences, and the general practices are to refer youths at the pre-charge stage (i.e. before charges are laid). In New Brunswick, the AM program operates at the pre-charge stage only. In Ontario, youths are only referred to AM programs at the post-charge stage (i.e. after charges are laid). In Yukon, the general practice is to refer youths to the AM program at the post-charge stage, although, on occasion, they may be referred at the pre-charge stage. Alternative measures cases are excluded from the Youth Court Survey data either in the jurisdiction or at the CCJS, if they are identified. Nevertheless, differences in procedures and eligibility requirements of these programs influence the volume and characteristics of cases heard in youth courts.

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Table 1

### Cases Heard in Youth Courts by Principal Offence Category, Canada, 1992/93 to 1998/99

Offence category	1992/93	1993/94	1994/95	1995/96	1996/97	1997/98	1998/99	change from 1992/93 to 1998/99
<b>Total cases</b>								
Number	115,187	115,949	109,743	111,027	110,065	110,882	106,665	
Percentage change in the number of cases* %	...	0.7	-5.4	1.2	-0.9	0.7	-3.8	-7.4
Rate per 10,000	500	497	465	465	455	454	435	
Percentage change in the rate*	...	-0.5	-6.5	0.0	-2.1	-0.2	-4.3	-12.9
<b>Violent crimes</b>								
Number	21,653	23,374	23,010	23,084	23,044	23,711	23,564	
Percentage change in the number of cases* %	...	7.9	-1.6	0.3	-0.2	2.9	-0.6	8.8
Rate per 10,000	94	100	98	97	95	97	96	
Percentage change in the rate*	...	6.8	-2.7	-0.8	-1.5	2.0	-1.1	2.3
<b>Property crimes</b>								
Number	62,456	59,138	53,007	52,743	51,767	49,602	45,566	
Percentage change in the number of cases* %	...	-5.3	-10.4	-0.5	-1.9	-4.2	-8.1	-27.0
Rate per 10,000	271	254	225	221	214	203	186	
Percentage change in the rate*	...	-6.4	-11.4	-1.6	-3.1	-5.1	-8.6	-31.4
<b>Other Criminal Code offences <sup>1</sup></b>								
Number	18,517	18,918	18,327	19,173	18,285	19,316	19,421	
Percentage change in the number of cases* %	...	2.2	-3.1	4.6	-4.6	5.6	0.5	4.9
Rate per 10,000	80	81	78	80	76	79	79	
Percentage change in the rate*	...	1.0	-4.3	3.4	-5.9	4.7	0.0	-1.4
<b>Drug-related offences</b>								
Number	2,331	3,130	4,522	4,897	5,353	4,549	4,716	
Percentage change in the number of cases* %	...	34.3	44.5	8.3	9.3	-15.0	3.7	102.3
Rate per 10,000	10	13	19	21	22	19	19	
Percentage change in the rate*	...	32.8	42.7	7.1	7.9	-15.8	3.2	90.2
<b>YOA offences</b>								
Number	9,780	11,024	10,704	10,906	11,335	13,442	13,289	
Percentage change in the number of cases* %	...	12.7	-2.9	1.9	3.9	18.6	-1.1	35.9
Rate per 10,000	42	47	45	46	47	55	54	
Percentage change in the rate*	...	11.5	-4.1	0.7	2.6	17.5	-1.6	27.7
<b>Other federal statute offences</b>								
Number	450	365	173	224	281	262	109	
Percentage change in the number of cases* %	...	-18.9	-52.6	29.5	25.4	-6.8	-58.4	-75.8
Rate per 10,000	2	2	1	1	1	1	0	
Percentage change in the rate*	...	-19.8	-53.2	28.0	23.8	-7.6	-58.6	-77.2

\* Refers to the previous year

... Not applicable

<sup>1</sup> Includes cases involving traffic offences.

Source: Youth Court Survey, Canadian Centre for Justice Statistics



Table 2

## Cases Heard in Youth Courts, Rate per 10,000 Youths, 1992/93 to 1998/99

	Rate of cases per 10,000 youths							% change from 1997/98	% change from 1992/93
	1992/93	1993/94	1994/95	1995/96	1996/97	1997/98	1998/99		
<b>Canada</b>	<b>500</b>	<b>497</b>	<b>465</b>	<b>465</b>	<b>455</b>	<b>454</b>	<b>435</b>	<b>-4</b>	<b>-13</b>
Newfoundland	427	364	364	308	534	425	432	2	1
Prince Edward Island	411	422	337	281	377	311	268	-14	-35
Nova Scotia	403	414	432	472	470	459	419	-9	4
New Brunswick	320	387	396	416	376	367	323	-12	1
Quebec	176	175	185	174	196	189	201	6	14
Ontario	585	604	552	561	532	496	449	-10	-23
Manitoba	810	883	832	762	710	787	871	11	8
Saskatchewan	864	862	797	896	883	943	841	-11	-3
Alberta	885	837	746	728	643	654	671	3	-24
British Columbia	459	386	358	342	346	415	369	-11	-20
Yukon	1,037	1,300	1,375	1,981	1,774	1,681	1,456	-13	40
Northwest Territories	1,025	1,129	990	856	886	847	1,051	24	3

Source: Youth Court Survey, Canadian Centre for Justice Statistics

Table 3

## Cases Heard in Youth Court by Offence Category and Age, Canada, 1998/99

Principal Offence Category	Total		< 12	12	13	14	15	16	17	> 17	Unknown
	#	%	%	%	%	%	%	%	%	%	%
<b>Total Offences</b>	<b>106,665</b>	<b>100</b>	--	<b>3</b>	<b>8</b>	<b>15</b>	<b>21</b>	<b>25</b>	<b>26</b>	<b>1</b>	<b>1</b>
Violent Offences	23,564	100	--	5	10	16	21	23	23	--	1
Property Offences	45,566	100	--	4	9	16	22	25	24	--	1
Other Criminal Code Offences	19,421	100	--	2	6	14	20	24	29	3	1
Narcotic Control Act	173	100	--	2	4	10	20	27	34	--	2
Food and Drugs Act	10	100	--	10	--	10	20	30	30	--	--
Controlled Drugs and Substances Act <sup>1</sup>	4,533	100	--	1	3	9	19	28	39	--	--
Young Offenders Act	13,289	100	--	1	5	14	24	26	25	5	1
Other Federal Statutes	109	100	--	1	3	5	19	28	44	--	--

-- nil or zero

-- too small to be expressed

<sup>1</sup> The controlled Drugs and Substances Act replaced the Narcotic Control Act and parts III and IV of the Food and Drugs Act in May of 1997.

Source: Youth Court Survey, Canadian Centre for Justice Statistics

Table 4



### Cases Heard in Youth Courts by Most Significant Decision, 1998/99

Jurisdiction	Total	Transfer to adult court	Guilty	Not guilty	Stayed	Dismissed	Withdrawn	Transfer to other jurisdiction	Other
		%	%	%	%	%	%	%	%
<b>Canada</b>	<b>106,665</b>	--	<b>67</b>	<b>1</b>	<b>10</b>	<b>2</b>	<b>19</b>	--	--
Newfoundland	2,142	--	82	--	4	3	12	--	--
Prince Edward Island	324	--	84	1	13	1	2	--	--
Nova Scotia	3,158	--	68	3	--	12	16	1	--
New Brunswick	1,999	--	87	1	--	--	11	1	--
Quebec	11,297	--	81	6	3	1	7	--	1
Ontario	40,697	--	60	--	7	2	30	--	--
Manitoba	8,477	--	58	1	40	1	--	--	--
Saskatchewan	8,127	--	82	--	5	1	11	--	--
Alberta	17,510	--	68	1	2	2	26	1	--
British Columbia	11,764	--	70	1	27	1	1	--	--
Yukon	438	--	59	--	34	4	2	1	--
Northwest Territories	732	--	83	--	--	--	17	--	--

-- nil or zero

-- too small to be expressed

Source: Youth Court Survey, Canadian Centre for Justice Statistics



Table 5

**Youth Court Cases with Convictions by the Most Significant Charge and Sentence<sup>1</sup>,  
Canada, 1998/99**

Most significant charge	Total	Secure custody	Open custody	Probation	Fine	Community service	Absolute discharge	Other <sup>2</sup>
		%	%	%	%	%	%	%
<b>TOTAL OFFENCES</b>	<b>71,961</b>	<b>17</b>	<b>18</b>	<b>48</b>	<b>6</b>	<b>7</b>	<b>2</b>	<b>3</b>
<b>VIOLENT CRIMES</b>	<b>14,144</b>	<b>16</b>	<b>16</b>	<b>58</b>	<b>2</b>	<b>5</b>	<b>1</b>	<b>3</b>
Murder/manslaughter	14	79	21	—	—	—	—	—
Attempted murder	12	92	—	—	—	—	—	8
Robbery	2,054	27	23	45	—	3	—	1
Sexual assault/other sexual offences	916	13	16	62	—	2	1	5
Aggravated assault/assault with a weapon	2,686	19	18	55	1	4	—	2
Minor assault	6,782	12	13	62	2	6	1	3
Weapons/firearms/explosives	1,199	15	13	58	3	5	2	3
Other violence crimes	481	23	18	49	2	5	1	2
<b>PROPERTY CRIMES</b>	<b>30,823</b>	<b>15</b>	<b>17</b>	<b>54</b>	<b>4</b>	<b>7</b>	<b>2</b>	<b>3</b>
Breaking and entering	8,959	18	20	55	1	4	—	2
Taking a vehicle without consent	1,268	13	16	59	2	7	2	2
Theft over \$5,000	1,269	25	23	45	2	3	—	1
Theft \$5,000 and under	9,736	10	13	55	7	10	3	2
Possession of stolen property	4,031	18	19	49	3	7	2	2
Fraud/forgery	1,092	15	15	52	7	6	1	4
Mischief/damage	3,598	10	12	58	3	9	2	6
Other property offences	870	14	18	55	1	6	2	3
<b>OTHER CRIMINAL CODE OFFENCES</b>	<b>13,064</b>	<b>22</b>	<b>19</b>	<b>38</b>	<b>9</b>	<b>6</b>	<b>2</b>	<b>4</b>
Failure to appear/comply/breach of recognizance	7,177	19	22	39	7	8	2	3
Escape custody/unlawfully at large	1,599	65	26	6	1	2	—	1
Impaired operation/other motor vehicle offences	1,006	8	7	30	46	7	—	2
Other Criminal Code offences	3,282	14	12	53	6	6	2	7
<b>DRUG-RELATED OFFENCES</b>	<b>3,125</b>	<b>8</b>	<b>10</b>	<b>53</b>	<b>14</b>	<b>7</b>	<b>4</b>	<b>3</b>
<b>YOUNG OFFENDERS ACT</b>	<b>10,722</b>	<b>22</b>	<b>25</b>	<b>28</b>	<b>10</b>	<b>11</b>	<b>1</b>	<b>3</b>
Failure to comply with disposition	10,547	22	25	28	10	11	1	3
Other YOA offences	175	21	37	31	3	5	—	3
<b>OTHER FEDERAL STATUTE OFFENCES</b>	<b>83</b>	<b>—</b>	<b>—</b>	<b>22</b>	<b>71</b>	<b>5</b>	<b>2</b>	<b>—</b>

— nil or zero

-- too small to be expressed

<sup>1</sup> Refers to the most significant charge which resulted in the sentence with the greatest impact on the young person.

<sup>2</sup> Includes restitution, prohibition, seizure, forfeiture, compensation, pay purchaser, essays, apologies, counseling programs and conditional discharge.

Source: Youth Court Survey, Canadian Centre for Justice Statistics

Table 6

# Youth Court Cases with Convictions by the Most Significant Sentence, 1998/99

	Most Significant Disposition						
	Total	Secure custody	Open custody	Secure and open custody	Probation	Fine	Community service order
		%	%	%	%	%	%
<b>Canada</b>	<b>71,961</b>	<b>17</b>	<b>18</b>	<b>35</b>	<b>48</b>	<b>6</b>	<b>7</b>
Newfoundland	1,748	22	21	43	50	3	1
Prince Edward Island	271	26	19	45	46	4	4
Nova Scotia	2,152	2	33	35	52	6	5
New Brunswick	1,741	19	13	32	60	5	1
Quebec	9,099	16	14	30	55	3	8
Ontario	24,308	20	21	42	46	3	5
Manitoba	4,904	16	16	32	47	6	7
Saskatchewan	6,683	19	16	35	48	4	12
Alberta	11,909	16	10	26	40	15	13
British Columbia	8,276	12	22	33	56	4	2
Yukon	260	35	7	42	40	4	-
Northwest Territories	610	14	23	38	39	3	2

<sup>1</sup> Other includes compensation, pay purchaser, compensation in kind, restitution, prohibition, seizure, forfeiture, conditional discharge, absolute discharge, essays, apologies and counselling programs.

Source: Youth Court Survey, Canadian Centre for Justice Statistics



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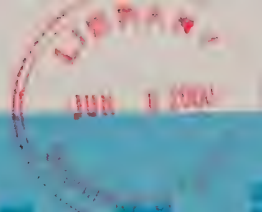
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## ADULT CORRECTIONAL SERVICES IN CANADA, 1998-99

by Jennifer Thomas

### HIGHLIGHTS

- At any given time, in 1998-99, there was an average of 150,986 adults under the supervision of correctional authorities in Canada, a 3% decrease from 1997-98. Almost 8 out of every 10 (79%) offenders in the correctional system were under some form of supervision in the community. Custodial facilities housed 21% of supervised offenders (including individuals on remand and held for other temporary reasons such as immigration holds).
- For the sixth consecutive year, the total number of adult admissions to custody declined. In 1998-99, there were 218,009 adults admitted to provincial/territorial and federal custody, a 3% decrease over 1997-98. Since the peak of custodial admissions in 1992-93 (following almost a decade of growth), the number of custodial admissions has decreased by 14%.
- The majority of adult custodial admissions (97%) were to provincial/territorial facilities. Although provincial/territorial admissions to custody continued to decline (3%) in 1998-99, admissions to federal facilities rose by 3%.
- Similar to custodial admissions, admissions to sentenced community supervision (i.e., probation and conditional sentences) declined (2%) in 1998-99, the first time since the introduction of the conditional sentence in 1996. Admissions to conditional sentences totalled 14,236 for the year, a 3% decrease over 1997-98, while admissions to probation declined slightly (2%), totalling 78,819.
- The typical adult offender admitted on sentence to a provincial/territorial facility was male, between the ages of 18 and 34, and convicted of a property offence. Those admitted to federal institutions were also likely to be male, and between the ages of 18 and 34, but more likely to be convicted of a violent offence, specifically, robbery or assault.
- Over-representation of Aboriginal people in Canada's prisons continues to be a problem, both in provincial/territorial and federal adult facilities. Though Aboriginal persons account for only 2% of the adult population in Canada, in 1998-99 they accounted for 17% of admissions to custody both at the provincial/territorial and federal levels. The greatest disproportionality exists in Saskatchewan and Ontario where the proportion of Aboriginal admissions to custody is roughly ten times the proportion of Aboriginal representation in the adult population in those provinces.
- Expenditures<sup>1</sup> on adult corrections reached \$2.26 billion in 1998-99, an increase of 8% compared with 1997-98 expenditures. The national average daily cost of housing an inmate in a federal facility was \$171, up 10% from the previous year. In provincial/territorial facilities, the average daily inmate cost declined marginally (0.5%) to \$123.

<sup>1</sup> Refers to operating expenditures only (i.e., excludes capital costs).



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## INTRODUCTION

Criminal justice is a fundamental facet of Canadian society and its provincial/territorial and federal governments and, as such, must reflect the accepted values and concerns of Canadians. So, not surprisingly, the administration of justice is often the subject of much public scrutiny. Public perceptions and attitudes towards crime and offenders play a large role in the development of justice-related policy, as well as the response of the justice system to criminal behaviour.

Policy-makers often respond to public concern over crime through the development of and changes to legislation relating to: defining what constitutes criminal activity; victims' rights in the justice process; sentencing of convicted offenders; corrections and conditional release activity, etc. Public concern or opinion may also generate non-policy responses such as changes in charging practices by the police, sentencing practices of the judiciary (e.g., the imposition of harsher sentences for certain types of crime), levels of supervision of offenders in custody or the community, and levels of security of correctional institutions.

In the area of corrections, the importance of public perception and concern creates a major challenge. A primary principle of the correctional component of the Canadian criminal justice system is the contribution to the achievement of a safe and just society, while balancing offenders' rights and needs towards rehabilitation. However, correctional agencies must first respond to the decision of the court, where a warrant to a term of imprisonment in a correctional facility or an order to a community-based sanction has been issued for an offender.

## Administration of Corrections in Canada

In Canada, the administration of corrections is shared between the federal and provincial/territorial governments. The 'two-year rule' applied to custodial sentences constitutes one of the unique facets of the correctional system in Canada, which decrees offenders sentenced to custody for two years or longer to the jurisdiction of the federal government (Ministry of the Solicitor General Canada); while offenders receiving custodial sentences of less than two years fall under the responsibility of provincial/territorial correctional authorities.

Correctional authorities at the provincial/territorial level are also responsible for the supervision of individuals remanded to custody while awaiting trial and offenders ordered to serve a term of probation or conditional sentence.

Three provinces (Quebec, Ontario, and British Columbia) have their own parole boards with jurisdiction over the release of offenders from provincial facilities into the community to serve the remainder of their sentence on supervised parole. The federal government (National Parole Board) is responsible for the decisions concerning the release of offenders from federal custody, as well as for those provincial/territorial inmates in provinces and territories that do not operate their own parole boards. The supervision of offenders released by the National Parole Board under some form of conditional release (i.e., day parole, full parole, statutory release) is the responsibility of Correctional Service Canada.

Despite the various levels of correctional jurisdiction in Canada, all agencies responsible for the administration of corrections provide and promote a wide range of programs and services developed to meet the needs and interests of sentenced offenders. Essential to the success of rehabilitation is a sound assessment of the risks and needs of individual offenders as well as the offender's participation in programs that address the specific needs related to their offending.

## Correctional Reform in Canada

Within the justice community, much concern exists over the relatively high number of offenders sentenced to custody. There is a belief that some of the offenders sent to prison could be just as safely and effectively rehabilitated in the community. Recently, important legislative reform providing additional alternatives to incarceration was introduced. The Sentencing Reform Bill (C-41) was proclaimed into law in September 1996, which, among other things, created the new disposition of conditional sentence of imprisonment and introduced the notion of alternative measures for adults. The conditional sentence was designed to reduce the number of offenders admitted to provincial/territorial custody, as it applies only to sentences of up to two years less a day, and where there is no minimum sentence. If certain conditions are met, once a sentence of imprisonment has been imposed, the court may order the offender to serve the term of imprisonment in the community, under the supervision of a probation officer or other designated official. The intent of the new legislation is to safely reduce levels of incarceration by allowing offenders who would have previously gone to prison to serve their sentence in the community.

This *Juristat* summarizes data and trends related to correctional services in Canada, collected from the Adult Correctional Services (ACS) Survey, for the 1998-99 fiscal year. Information is presented on the composition of the correctional system, the number and characteristics of offenders admitted to supervision in custody or the community, and the costs associated with the administration of the correctional system. More detailed data are available in the data table product *Adult Correctional Services in Canada, Data Tables, 1998-99* (Canadian Centre for Justice Statistics, 2000).

## THE ADULT CORRECTIONAL POPULATION

The size and characteristics of correctional populations (custody and community) are affected by a number of variables. For instance, changes in the crime rate will affect the number of cases being processed by the courts. This in turn will have an impact on the number of persons admitted to prison or to a period of community supervision.

Changes in sentencing patterns as a result of evolving judicial attitudes towards sentencing alternatives (i.e., community service, restitution) or the length of sentences may also have an effect on the correctional population. In addition, legislative reforms relating to the sentencing or parole systems can influence the volume and nature of correctional populations. For example, federal legislation relating to the illegal use of firearms created mandatory four-year minimum terms of imprisonment. Similarly, the introduction of new sanctions such as the conditional sentence can affect the general composition of the correctional system: offenders that would have otherwise been ordered a custodial sentence serve their sentence in the community under some form of supervision.

### Box 1

#### Measures of Correctional Activity: Admissions and Inmate Counts

This report makes use of two different indicators that describe the use of correctional services: (i) the number of annual *admissions* to correctional facilities or to community supervision programs; and (ii) the *average count* of offenders imprisoned or serving a sentence in the community at a given point in time.

Admission data are collected when the offender enters the institution or community supervision program. While admission data describe and measure the changing caseflow of correctional agencies over time, they do not indicate the number of unique individuals using correctional services since the same person can be included several times in annual admission totals. Although the Adult Correctional Services Survey attempts to define the way in which status changes should be counted, limitations due to differing jurisdictional operational systems may restrict uniform application of the definitions in some situations. For this reason, inter-jurisdictional comparisons of the actual numbers of admissions should not be made. However, as a result of consistent counting practices within jurisdictions, comparative statements may be made concerning the trends within each jurisdiction.

Average counts of inmates in custody or serving a sentence in the community at a given point in time provide a snapshot of the correctional population on any given day and are then used to calculate an annual average count. Average counts provide a useful operational measure for correctional managers and are used as formal indicators of the utilization of bed space in institutions. Typically, correctional officials perform daily counts of inmates in their facility and monthly counts of offenders under community supervision.

By and large, provincial and territorial correctional case management systems cannot provide case characteristics about their average daily populations to the same degree as those collected upon admission to custody or intake to probation.

## Composition of the Correctional System

It is typical practise that correctional staff conduct daily counts of inmates in their custody. Counts of offenders in the community are normally taken at month-end. From these daily or month-end counts an average is calculated, providing a picture of the average number of offenders under the different types of correctional supervision.

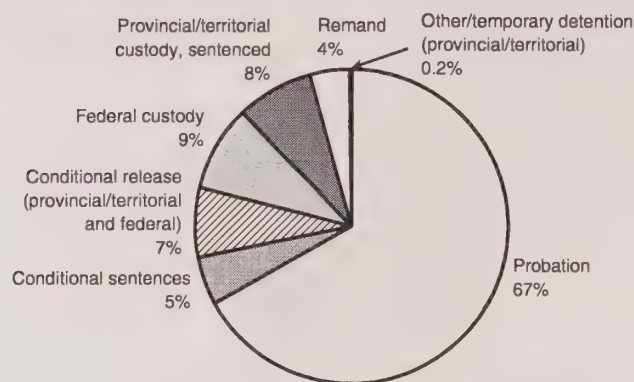
In 1998-99, an average of 150,986 adult offenders were under the supervision of correctional authorities. This represents a decrease of 3% in the average adult correctional population from 1997-98. Of all those supervised (including 67% who were on probation, 7% on some form of parole or conditional release, and 5% serving a conditional sentence), a total of almost 8 out of every 10 (118,576) offenders (79%) were in the community (see Figure 1).

In 1998-99, provincial/territorial and federal inmates accounted for about one-fifth (21%) of the average correctional population (12% and 9% respectively). On average, there were 32,411 adult inmates (including those on remand or other temporary forms of detention, such as immigration holds) in provincial/territorial and federal custody, a slight (1%) decrease from 1997-98.



Figure 1

### Composition of the adult correctional population (average counts), 1998-99



Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Table 1

### Average adult inmate counts and incarceration rates, provincial/territorial and federal custody, 1998-99

Jurisdiction	Average count	Incarceration rate (per 100,000 adult population)	% change from 1997-98
Newfoundland	328	78	12
Prince Edward Island	85	83	-7
Nova Scotia	376	52	-4
New Brunswick	328	56	-14
Quebec	3,321	58	2
Ontario	7,689	89	-1
Manitoba	1,071	127	19
Saskatchewan	1,209	161	2
Alberta	2,126	99	6
British Columbia	2,270	73	-12
Yukon	74	318	-7
Northwest Territories	358	838	2
<b>Provincial/Territorial Total</b>	<b>19,233</b>	<b>83</b>	<b>--</b>
<b>Federal Total</b>	<b>13,178</b>	<b>57</b>	<b>-5</b>
<b>Total</b>	<b>32,411</b>	<b>140</b>	<b>-2</b>

-- amount too small to be expressed.

Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada, Demography Division, Census and Demographic Statistics Branch, Statistics Canada.

#### Box 2 Incarceration Rates

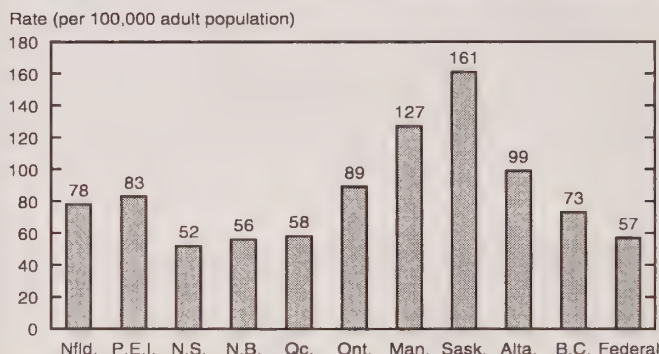
Though there are a number of ways in which incarceration rates may be calculated and reported, the standard method used in reports by the Canadian Centre for Justice Statistics is the average daily count of all offenders in custody at the time of head count (including those on remand and other temporary detention) per 100,000 Canadian population. The incarceration rates for adult offenders are presented as the average number of adult inmates per 100,000 adult population.

The adult incarceration rate generally increased between 1988-89 and 1994-95, peaking at 152 adult inmates per 100,000 adult population. Since then, incarceration rates have declined, down to 140 in 1998-99. The incarceration rates for federal inmates decreased by 5% in 1998-99, down to 57, while the overall incarceration rate for provincial/territorial facilities was constant with 1997-98 at 83.

As Figure 2 illustrates, incarceration rates ranged from 52 in Nova Scotia to 161 in Saskatchewan. In general, incarceration rates increase moving from eastern Canada to the west of the country. This is consistent with rates of adults charged with a criminal offence. For example, in the eastern provinces, the rate of adults charged ranged from 1,598 per 100,000 adult population in Prince Edward Island to 2,165 in Nova Scotia. In comparison, rates of adults charged in the western provinces ranged from 2,397 in British Columbia to 4,428 in Saskatchewan.

Figure 2

### Provincial and federal incarceration rates<sup>1</sup>, 1998-99



<sup>1</sup> Rates are calculated using the average daily inmate sentenced counts, divided by the number of adults in the Canadian population, then multiplied by 100,000. Provincial/territorial average counts include federally sentenced offenders serving time in provincial/territorial custody, which may affect incarceration rates in those jurisdictions where there are few or no federal institutions (e.g. Newfoundland).

Note: Incarceration rates have not been presented for the territories due to their extreme values.

Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

### The composition of admissions to the correctional system presents a different picture

While probationers constitute the largest proportion of supervised adult offenders at any given time, over twice as many offenders are admitted to provincial/territorial or federal custody than to community supervision. As will be examined later, probationers tend to receive longer sentences than

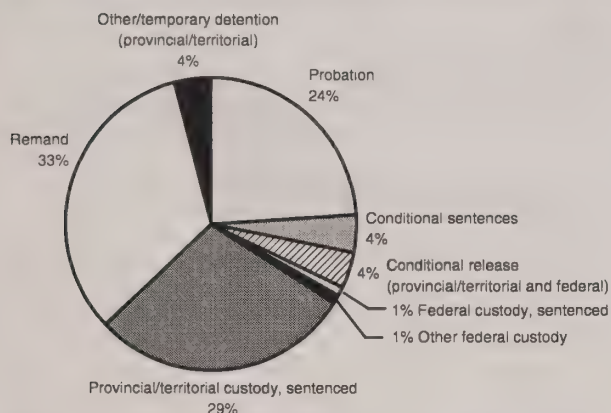
those sentenced to custody, explaining the greater proportion of probationers in the correctional system at any point in time.

Figure 3 shows that in 1998-99, admissions to provincial/territorial and federal custody accounted for approximately two-thirds (68%) of the total supervised adult offender admissions, including 65% to provincial/territorial facilities and 2% to federal custody.

Accused persons detained on remand accounted for a third (33%) of all admissions. Offenders admitted to provincial/territorial custody by order of sentence represented another 29%; another 4% were admitted to provincial/territorial custody for other reasons such as temporary or immigration holds.

Figure 3

### Composition of adult admissions to the correctional system in Canada, 1998-99



**Source:** Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Approximately one-quarter (24%) of the admissions to the correctional system were individuals on probation, while 4% were serving a conditional sentence, and the remainder (4%) were under some form of parole or conditional release in the community.

## TRENDS IN ADMISSIONS TO THE CORRECTIONAL SYSTEM

### Admissions to provincial/territorial custody continue to decline; however, federal custody admissions are up slightly

For the sixth consecutive year, the total number of admissions to custody<sup>2</sup> declined (see Table 2). In 1998-99, there were 218,009 admissions of adult offenders to custody, a 3% decrease over 1997-98. Steady downward trends in admissions have resulted in levels approaching those of the late 1980's. Since the peak of 253,451 admissions to custody in 1992-93, the number of admissions has decreased by 14%.

The trend in decreasing admissions to provincial/territorial facilities continues. In 1998-99, there were 210,591 provincial/territorial custody admissions, a 3% decrease over 1997-98. During the 1980's and early 1990's, these admission levels increased regularly, peaking in 1992-93 at a total of 245,746 admissions. Since then, the gradual decline in custodial admissions at the provincial/territorial level has amounted to 14% overall.

Table 2

### Total adult admissions to provincial/territorial and federal custody, 1989-90 to 1998-99

Year	Admissions			
	Provincial/territorial <sup>2</sup>	Federal <sup>1</sup>	Total	% change from previous year
1989-90	199,943	6,223	206,166	...
1990-91	207,945	6,186	214,131	4
1991-92	243,745	7,087	250,832	17
1992-93	245,746	7,705	253,451	1
1993-94	240,706	8,552	249,258	-2
1994-95	238,856	8,020	246,876	-1
1995-96 <sup>3</sup>	230,300	7,246	237,546	-4
1996-97 <sup>3</sup>	228,382	7,422	235,804	-1
1997-98	217,174	7,170	224,344	-5
1998-99	210,591	7,455	218,009	-3

... figures not appropriate or applicable.

<sup>1</sup> Federal admissions include the following types of admissions: Warrant of Committal; sentenced provincial/territorial offenders admitted to federal custody; parole revocation; termination of release; interruption; transfers from foreign countries, and other types of admissions. Federal offenders admitted to provincial/territorial facilities are excluded.

<sup>2</sup> Provincial/territorial admissions include provincial/territorial inmate admissions as well as federal inmates admitted to the provincial/territorial system during an appeal period prior to being transferred to a federal penitentiary.

<sup>3</sup> Provincial/territorial admissions for 1995-96 and 1996-97 exclude Northwest Territories.

Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Admissions to federal custody have been generally declining since 1994-95 (though a slight increase was experienced in 1996-97). However, in 1998-99, there were 7,418 admissions to institutions under federal jurisdiction, a 3% increase over 1997-98 (though still 13% less than the peak in 1993-94). Increased Warrant of Committal (i.e., sentenced) admissions<sup>3</sup> accounted for the overall increase in federal custodial admissions, since admissions on account of parole revocation continue to decline. In 1998-99, parole revocation admissions to federal custody declined 10% to 2,495.

Included in the discussion of total provincial/territorial custody admissions are individuals who have been held in temporary detention or on remand. Though the focus of analysis of custodial admissions data will not include detailed information on these two groups, it should be noted that the remand population can represent significant caseload and is thus an important concern for authorities responsible for monitoring the overall correctional population.

Remand admissions include persons who have been charged by police with an offence and ordered to custody (by the court) while awaiting a further court appearance. They have not been sentenced to custody or community-based sanctions, but can be held in a provincial/territorial facility for a number of reasons such as arranging bail, risk that they will fail to appear for their court date, and risk that they might re-offend. There were 104,975 remand admissions in 1998-99, consistent with 1997-98.

<sup>2</sup> The total number of admissions to custody includes the following: those offenders sentenced to custody on a Warrant of Committal; remand; parole revocation; transfers from other countries; and those detained temporarily for reasons such as immigration holds and parole suspensions.

<sup>3</sup> In 1998-99, there was an increase (6%) in the number of Warrant of Committal admissions to federal custody over 1997-98 admissions.



There are other individuals held in custody, some of whom may not have been accused of committing an offence. Individuals detained on "other/temporary detention" status include persons held for immigration purposes, offenders held on exchange of service agreement, in transit, etc. In 1998-99, there were 12,571 admissions to provincial/territorial custody for such reasons, a decrease of 2% over 1997-98.

### Sentenced admissions to custody – regional differences exist

Looking only at sentenced admissions, in 1998-99, the number of sentenced admissions to provincial/territorial custody totalled 93,045, a decrease of 6% from the previous year. Sentenced admissions have actually declined by 24% since the peak of 121,817 in 1992-93 (see Figure 4).

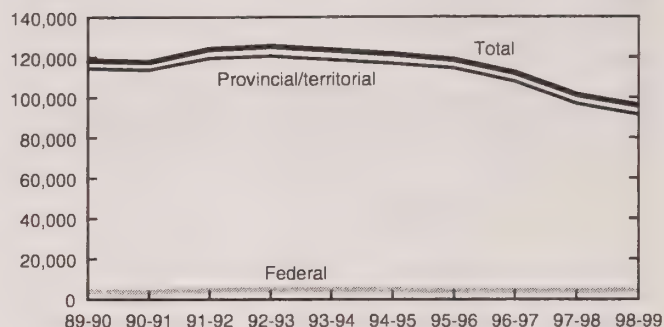
Quebec experienced a notable decrease in sentenced admissions (17%) in 1998-99, followed by British Columbia (9%) and Prince Edward Island (8%). Sentenced admissions to custody remained fairly stable in all other jurisdictions, with the exception of Alberta, where a 7% increase was noted (see Table 3).

As noted, in 1998-99 the largest annual percentage decrease in admissions to sentenced custody was in Quebec. However, if we look at long-term trends in sentenced admissions by jurisdiction, Saskatchewan has also been admitting significantly lower numbers to custody, where sentenced admissions are roughly half (49%) the number admitted in 1988-89.

Turning to federal custody, Warrant of Committal admissions totalled 4,493 in 1998-99, an increase of 6% from 1997-98. As with sentenced admissions to provincial/territorial custody,

Figure 4

### Sentenced adult admissions to custody, 1989-90 to 1998-99



Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

there are regional differences at the federal level. Interestingly, though Quebec experienced the most significant decrease in sentenced admissions at the provincial/territorial level in 1998-99, the province recorded the largest increase (17%) of the five regions<sup>4</sup> at the federal level. Sentenced admissions also increased in the Prairie region (10%), while the Atlantic region facilities received 5% fewer sentenced admissions. Warrant of Committal admissions remained stable in Ontario and the Pacific region.

<sup>4</sup> Correctional Services Canada, the federal department responsible for the operation of federal custodial facilities, reports custodial data by the following regions: Atlantic, Quebec, Ontario, Prairie and Pacific.

Table 3

### Sentenced adult admissions to provincial/territorial and federal custody, 1998-99

Jurisdiction	Number of admissions	% change from previous year	Percent female	Percent Aboriginal	Median age	Median sentence length (days)	Admissions per 10,000 adults charged
Newfoundland	1,199	3	6	6	31	90	1,746
Prince Edward Island	803	-8	8	--	..	..	4,929
Nova Scotia	1,964	3	5	5	30	51	1,261
New Brunswick	2,273	--	4	5	31	15	2,136
Quebec	21,735	-17	9	2	34	30	2,285
Ontario	32,815	-3	9	10	31	45	1,850
Manitoba	1,393	-3	6	59	30	120	520
Saskatchewan	3,850	-1	9	76	29	113	1,161
Alberta	15,491	7	11	38	31	30	2,517
British Columbia	9,628	-9	7	20	31	45	1,299
Yukon	300	-1	8	49	33	45	2,473
Northwest Territories	1,594	...	4	..	..	..	4,745
<b>Provincial/Territorial Total</b>	<b>93,045</b>	<b>-6</b>	<b>9</b>	<b>17</b>	<b>...</b>	<b>...</b>	<b>1,834</b>
<b>Federal Total</b>	<b>4,493</b>	<b>6</b>	<b>4</b>	<b>17</b>	<b>31</b>	<b>1,095</b>	<b>89</b>

.. figures not available.

... figures not appropriate or applicable.

-- amount too small to be expressed.

Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

## Trends in rates of sentenced admissions to custody<sup>5</sup> also vary across the country

Studying rates of custodial admissions against the number of adults charged by police may also offer some insight into sentencing patterns. However, due to limitations with respect to different methods of counting admissions, inter-jurisdictional comparisons of these rates should not be made, though comparative statements can be made with respect to trends. In 1998-99, the national average at the provincial/territorial level was 1,834 per 10,000 adults charged, a 7% decrease from the previous year. The number of admissions per 10,000 adults charged increased in Yukon (14%), New Brunswick (12%), Prince Edward Island (8%), and Nova Scotia (6%). Conversely, the rate of sentenced admissions declined in Quebec (13%), Ontario (9%), British Columbia (9%), Saskatchewan (8%), and Manitoba (5%). In all other jurisdictions, the rate remained relatively constant.

Reflective of the relatively low number of offenders sentenced to federal custody, the rate of sentenced admissions to custody was comparatively low at 89 admissions per 10,000 adults charged, up from 85 in 1997-98.

Assuming consistent counting practices, the resulting rates (or trends in rates) of sentenced admissions to custody (per adults charged) for each jurisdiction could be explained by a number of factors, which likely interact in some way. For instance, the crimes recorded in some provinces or territories may be more serious, or some jurisdictions may have a higher percentage of repeat offenders who are more likely to be sent to prison. Also, there may be jurisdictional differences in sentencing. Judges in some jurisdictions may be more likely to sentence an offender to imprisonment, while others may be more inclined to lean towards community-based supervision (i.e., conditional sentence or probation). There may also be variation in the proportion of withdrawals or stays of proceedings. Jurisdictions that use a higher proportion of stays to dispose of charges would have fewer convictions overall, resulting in fewer admissions to custody.

## PROFILE OF ADULT OFFENDERS ADMITTED TO SENTENCED CUSTODY IN CANADA

**A sentenced adult entering a custodial facility in 1998-99 was likely to be a male between the ages of 18 and 34.**

In 1998-99, 60% of adults admitted to provincial/territorial correctional facilities and 62% of federal sentenced admissions were between the ages of 18 and 34. The median age of offenders admitted to provincial/territorial custody ranged<sup>6</sup> from a low of 29 years of age in Saskatchewan to a high of 34 years of age in Quebec. The median age for federal offenders on admission was 31 years. Women accounted for only 9% of admissions to provincial/territorial custody and an even lower proportion to federal custody (4%).

Property crimes accounted for the highest percentage (25%) of admissions at the provincial/territorial level (see Table 4). Almost as many offenders were admitted for "other *Criminal Code*" offences (21%). In Newfoundland and Manitoba, the proportion of admissions to custody for violent offences<sup>7</sup> was higher than for property offence and other *Criminal Code* offence admissions. In Quebec, "other provincial/territorial statutes and municipal by-laws" represented 59% of admissions to custody, a reflection of the high proportion of custodial admissions for fine default in the province.

The large percentage of admissions for property offences at the provincial/territorial level reflects the influence of two factors. First, property crimes are more common than crimes of violence<sup>8</sup>. Second, property offenders often acquire lengthy criminal records faster than persons convicted of a crime of violence (Campbell, 1993). After the seriousness of the crime, an offender's criminal record is the most important determinant of the sentence imposed.

Fine defaulters accounted for one-fifth (20%) of provincial/territorial admissions to custody in 1998-99. The number of fine default admissions declined 13% from the previous year. Considerable jurisdictional variation exists in terms of the percentage of admissions to custody for fine default. The range was 1% in Newfoundland and Ontario, to 33% in Nova Scotia and Alberta, and 56% in Quebec, a jurisdiction that admits a high proportion of offenders to custody for fine default. Reducing the number of people admitted to custody for failure to pay a fine has been and continues to be a challenge for the criminal justice system.

In contrast to offenders admitted to provincial/territorial custody, over half (52%) of Warrant of Committal admissions to federal custody were for violent offences, particularly robbery and various levels of assault. The fact that more violent offenders end up in the federal prison system is consistent with the Fundamental Principle of Sentencing as defined in Section 718.1 of the *Criminal Code*, ("a sentence must be proportionate to the gravity of the offence and the degree of responsibility of the offender"), in that violent crimes are viewed as more serious offences and require harsher and lengthier sentences.

The median sentence length served by inmates in the provinces and territories indicates that there is considerable variation across the country. Upon admission, the median sentence length for provincial/territorial offenders ranged from 15 days in New Brunswick to 120 days in Manitoba. A number of factors likely explain this variability. A province or territory with a higher proportion of serious crime convictions or repeat

<sup>5</sup> Rates of admissions to custody should not be confused with incarceration rates, which typically are expressed as daily counts (or average counts) per 100,000 population.

<sup>6</sup> An overall median age for provincial/territorial custody and probation is not available since only aggregate data are collected. The provinces and territories provide median age data based on their respective micro-data.

<sup>7</sup> For the purposes of classification, violent criminal incidents include homicide, attempted murder, assault, sexual assault, other sexual offences, abduction and robbery.

<sup>8</sup> In 1998, property crimes accounted for 51% of all crimes recorded by the police, whereas violent crimes represented 11% (Tremblay, 1999).



Table 4

# Sentenced adult admissions to provincial/territorial and federal custody, by major offence, 1998-99

Jurisdiction	Unit of count	Number	Criminal Code					Federal Statutes			Provincial/Territorial Statutes and Municipal By-laws			Fine default admissions <sup>1</sup>
			Crimes of violence	Property crimes	Impaired driving	Other	Total	Drug offences	Other	Total	Liquor offences	Other	Total	
percent														
Newfoundland	MSO	1,199	29	26	11	22	88	4	6	11	1	1	2	1
Prince Edward Island	MSO	803	10	32	4	11	56	10	18	28	3	12	16	2
Nova Scotia	MSO	1,964	19	20	10	31	79	8	3	11	4	6	10	33
New Brunswick	MSO	2,273	9	13	7	31	60	2	22	25	5	7	12	7
Quebec	MSO	21,735	4	9	12	8	33	6	1	7	2	59	61	56
Ontario	MSO	32,815	32	37	6	14	89	8	1	9	--	1	1	1
Manitoba	MSO	1,393	33	27	10	20	90	5	3	8	--	2	2	3
Saskatchewan	MSO	3,850	23	28	15	27	92	2	1	3	2	2	4	5
Alberta	MC	43,535	9	23	5	29	65	4	1	5	..	..	30	33
British Columbia	MSD	10,820	16	28	8	25	76	7	6	14	--	10	10	2
Yukon	MC	1,442	21	15	11	49	95	4	1	5	--	1	1	4
Northwest Territories	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total Provincial/Territorial <sup>2</sup>	...	...	17	25	7	21	71	6	2	8	..	..	21	16
Federal	MSO	4,493	52	18	6	7	83	16	--	16	-	-	-	...

.. figures not available.

... figures not appropriate or applicable.

- nil or zero.

-- amount too small to be expressed.

MC - Multiple Charge

MSD - Most Serious Disposition

MSO - Most Serious Offence

<sup>1</sup> The percentage shown for 'Fine default admissions' is based on the total number of sentenced admissions in Table 3 (i.e., at least one of the charges the offender was convicted for was fine default).

<sup>2</sup> The Total Provincial/Territorial percentage breakdown represents only those jurisdictions reporting either the offence for the most serious offence or most serious disposition.

Note: Figures may not add due to rounding.

Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

offenders would likely have a longer median sentence length since the more serious crimes bear stiffer penalties. The use of incarceration for fine defaulters can also affect the median sentence length. A jurisdiction with a larger proportion of admissions to custody for fine default will likely have a lower median sentence length due to relatively shorter sentences.

Naturally, the median sentence length on admission to a federal correctional facility is much higher than for provincial/territorial admissions. In 1998-99, the median sentence length for offenders admitted to federal custody was slightly over three years (36.5 months)<sup>9</sup>. Almost a quarter (22%) of Warrant of Committal admissions to federal custody were for a period of 5 years or longer. Offenders admitted to federal custody on a life sentence accounted for only 4% of all sentenced federal admissions.

## Intermittent sentences – little change despite the introduction of conditional sentencing

Judges may sentence certain types of offenders under certain circumstances to an intermittent term of imprisonment, whereby the offender serves the custodial term on the weekend. This allows the offender to work, attend school or a treatment program during the week. When the offender is not in custody, he or she must abide by the conditions of a

probation order imposed by the court. There are certain restrictions regarding the imposition of intermittent sentences and they cannot exceed 90 days in length.

It was thought that the introduction of the conditional sentence would present an alternative to the use of intermittent sentences, with the expectation of decreased intermittent sentence admissions. Overall, intermittent sentences represented 13% of all admissions to custody in 1998-99, unchanged from the previous year. In 1996-97, the year that conditional sentencing was introduced, 15% of admissions to custody were for intermittent sentences. Though the proportion of intermittent sentence admissions has not changed significantly, the actual number of intermittent sentences has decreased by 26%.

There is variation between the provinces and territories with respect to the proportion of intermittent sentence admissions. The use of intermittent terms ranged from a low of 2% of sentenced admissions in British Columbia, to highs of 18% in Yukon and 19% in Ontario.

<sup>9</sup> The median sentence length on admission to federal custody excludes persons serving life sentences.

### Box 3

#### Female inmates – effective programming is a challenge

The proportion of adult males and females in the Canadian population is roughly equal (49% male, 51% female). However, females account for a relatively small proportion of police-reported crime committed by adults. In 1998, women accounted for 16% of all adults charged (Canadian Centre for Justice Statistics, 1999). Consequently, women also represent a small proportion of offenders in the court and correctional systems. For instance, on October 5, 1996, females accounted for 5% of the on-register inmates in provincial/territorial and federal facilities (Trevethan, Carrière, MacKillop, Finn, Robinson, Porporino & Millson, 1999).

Admissions to custody figures show a slightly different picture. Though females still account for a much smaller proportion than males, the proportion of women being admitted to custody is increasing. Twenty years ago, the proportion of women admitted to provincial/territorial custody was 5%. This proportion increased over the years to 9% in 1992-93 and has remained constant since. The proportion of female offenders admitted to federal custody remained fairly constant (around 3%) over the same period of time. In 1998-99, a slight increase in the proportion of female admissions at the federal level was experienced, with women accounting for 4% of admissions. The recent increase in the proportion of adult females admitted to custody may in part, be attributed to the trend in increased charges of violent crime for females, compared with recent decreases in violent crime charges against males. The number of adult females charged by police with a violent offence in 1998 (15,694) represents a substantial increase (58%) over the number charged in 1989 (9,955).

As data from the One-Day Snapshot (1996) indicate, females were less likely than males to be incarcerated for crimes against the person in both provincial/territorial and federal facilities. In general, females were more likely to have been incarcerated for crimes involving property or drugs. Female inmates (as with male inmates) also tended to be unemployed and to have low levels of education. They also were classified as being a lower risk than males in terms of possible re-offence, and female inmates in provincial/territorial facilities had slightly higher needs than their male counterparts in most areas, particularly in the areas of substance abuse and marriage/family.

Despite the small number and proportion of women in both provincial/territorial and federal custody, due to the different characteristics and higher level of needs of female offenders compared to their male counterparts, gender-responsive program planning is often challenging for correctional staff and policy makers. Historically, correctional programming for women tended to be based on assumptions of male characteristics and needs.

In 1990, the Task Force on Federally Sentenced Women made recommendations to the Correctional Service of Canada designed to develop a comprehensive strategy for the management of federally sentenced women. One of the recommendations in the Task Force's report proposed the replacement of the federal Prison for Women in Kingston (PFW) with four regional facilities and an Aboriginal healing lodge, all of which have since been operationalized. Among other things, this will likely help reduce the general displacement of female offenders. The PFW has long been criticized for its lack of programming options and excessive level of security. The new facilities were designed to respond more specifically to the needs of the individual women as well as their styles of learning (Stableforth, 1999).

### Box 4

#### Aboriginals in custody – a cause for concern

Consistent Aboriginal over-representation has been the focus of much concern, both within the Aboriginal community and the justice system. Aboriginal people represent 2% of the adult population, but accounted for 17% of the admissions to provincial/territorial custody in 1998-99, and the same proportion to federal custody. At the provincial/territorial level, this represents a slight increase (2%) in the proportion of Aboriginal admissions over 1997-98, while the representation of Aboriginal persons as a proportion of federal custodial admissions remained relatively stable.

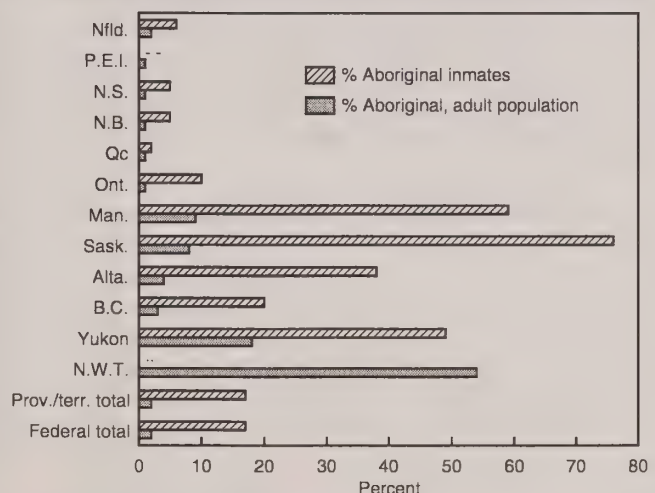
However, as Figure 5 shows, there is considerable variation across the country with respect to the presence of Aboriginal people in the general adult and adult inmate populations. The Western provinces and the territories are home to the largest proportions of Aboriginal persons in the general adult population, as well as the greatest disproportionate representation of adult admissions to custody. For example, in 1998-99 the proportion of Aboriginal persons admitted to adult provincial facilities in Saskatchewan (76%) was almost ten times that of their proportion in the provincial adult population (8%). In Manitoba 59% of admissions to provincial custody were Aboriginal (compared to 9% in the provincial adult population) and in Alberta, 38% of admissions to provincial facilities were Aboriginal persons (compared to 4% in the provincial adult population). In other jurisdictions, the proportion of Aboriginal admissions ranged from twice to ten times their proportion in the provincial/territorial population.

Data from the One-Day Snapshot showed that on Snapshot day, Aboriginal inmates were incarcerated for crimes against the person more often than non-Aboriginal inmates, and had lower levels of education. In addition, a larger proportion of Aboriginal than non-Aboriginal inmates was unemployed at the time of admission. The Snapshot also revealed that a larger proportion of Aboriginal than non-Aboriginal inmates were classified as a high risk to re-offend, and scored higher in all areas of a general needs assessment, particularly in the area of substance abuse.

Traditional Aboriginal justice practices have generally taken a restorative approach, emphasizing healing and the importance of

Figure 5

#### Representation of Aboriginal admissions to custody and in the general Canadian adult population, 1998-99



-- amount too small to be expressed.

.. figures not available.

Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada, 1996 Census of the Population, 20% Sample, Statistics Canada.

community involvement in the justice process. When a restorative approach is not used, it is important that programs that are responsive to Aboriginal needs, values and traditions be made available.



## TRENDS IN COMMUNITY-BASED CORRECTIONS: CONDITIONAL SENTENCES, PROBATION AND PAROLE

Consistent with the principle of restraint in the use of punishment, Canada's criminal justice system has made a priority of developing and administering community-based alternatives to incarceration. The Sentencing Reform Bill (C-41), which was proclaimed law in September 1996, provides judges with a statement outlining the purposes and principles underlining the sentencing process. Section 718.1 of the *Criminal Code* defines the fundamental principle of sentencing, stating that "a sentence must be proportionate to the gravity of the offence and the degree of responsibility of the offender." The *Criminal Code* outlines other principles that should also be considered in the determination of sentence, including consideration that "all available sanctions other than imprisonment that are reasonable in the circumstances should be considered for all offenders, with particular attention to the circumstances of aboriginal offenders" (Section 718.2).

Community-based corrections can offer the opportunity to provide a degree of punishment reflecting the seriousness of the offence, while also providing an effective means of rehabilitating offenders. In Canada, offenders under community supervision within the correctional system constitute those offenders serving conditional sentences, terms of probation, parole or statutory release.

### Like custodial admissions, admissions to sentenced community supervision declined

In 1998-99, admissions to sentenced community supervision (i.e., probation and conditional sentences) declined slightly (2%) from the previous year, the first time since the introduction of the conditional sentence in 1996. However, there was noticeable variation across the jurisdictions with respect to trends in admissions to probation and conditional sentences.<sup>10</sup>

### The conditional sentence – an alternative to incarceration

As previously described, Bill C-41 was enacted to respond to concern over high levels of incarceration in Canada. Among other things, the bill introduced the notion of conditional sentencing. If certain conditions are met, a judge, after imposing a term of imprisonment of less than two years in provincial/territorial facilities, may order the offender to serve the prison sentence in the community, under supervision. The offender is required to comply with a number of mandatory conditions such as reporting to a probation officer or a designated supervisor. There may be additional conditions imposed by the sentencing judge, such as house arrest, restitution, fines, participation in specific treatment programs, abstaining from contact with certain individuals, community service work, and others. If the offender breaches these conditions, he or she will be returned to court for a breach hearing at which point the court may modify the conditions,

take no action, or order that the offender be committed to prison to serve the balance of the sentence.

The conditional sentence has fallen under much scrutiny since its introduction. The intention of this new sentence was to reduce the number of admissions to provincial/territorial custody by acknowledging that some offenders who would otherwise have been sentenced to custody could be safely rehabilitated in the community. But a great deal of concern seems to exist over several aspects of the sentence such as the types of crimes for which a conditional sentence may be imposed, the length of the term imposed, treatment availability, net-widening<sup>11</sup>, etc. In a survey conducted for the federal Department of Justice, almost 80% of the judges surveyed said that before they impose a conditional sentence, they consider the impact of the sentence on public opinion. Some judges were concerned over the lack of knowledge about whether or not appropriate programming or supervision was available in the community. (Makin, October 1, 1999).

On January 31, 2000, the Supreme Court of Canada ruled on a long-awaited series of cases where conditional sentences were the focus of attention<sup>12</sup>. Although the court decided against narrowing the types of offences for which a conditional sentence may be imposed, it did stress that conditional sentences are least appropriate in any case where there is a great need to deter others or to express society's repugnance of a particular crime. The decision gives the judiciary a fair amount of discretion in the use of conditional sentencing, but does provide them with some guidance (Makin, February 1, 2000).

### Declining admissions to conditional sentences

The decrease in the number of sentenced admissions to custody coincided with a decline in the number of conditional sentence admissions in 1998-99. Overall, admissions to conditional sentences numbered 14,236 for the year, a 3% decrease over 1997-98. As with custodial admissions, differences exist between the provinces and territories.

As Table 5 indicates, although overall admissions to conditional sentences declined, substantial increases were experienced in Manitoba (28%), Prince Edward Island (21%), Yukon (20%), and Saskatchewan (17%). Conditional sentence admissions also increased in Nova Scotia (7%), and Quebec (5%). The jurisdictions that experienced decreased admissions to conditional sentences were Alberta (23%), New Brunswick (15%), and Ontario (14%). Admissions to conditional sentences remained relatively stable in British Columbia and Newfoundland.

<sup>10</sup> Admissions data for community supervision excludes Northwest Territories. Accordingly, comparisons with previous years exclude Northwest Territories' data for community supervision.

<sup>11</sup> The concept of "net-widening" in the case of conditional sentencing refers to the possibility that with the introduction of the new sentence, offenders who may not otherwise have received a custodial sentence will be given a conditional sentence, resulting in harsher sentences overall, thus increasing the number of supervised offenders in the correctional system.

<sup>12</sup> The Supreme Court of Canada released its decisions on five conditional sentence appeals: *R. v. Proulx*, *R. v. Bunn*, *R. v. R.A.R.*, *R. v. L.F.W.*, *R. v. R.N.S.*

Table 5

# Number of conditional sentences imposed, September 1996 to March 1999

Jurisdiction	Year	Number of conditional sentences <sup>1</sup>	% change from previous year	Percent female <sup>2</sup>	Percent Aboriginal <sup>2</sup>	Median age
Newfoundland	1996-97	212	...	30	1	25
	1997-98	304	...	25	7	31
	1998-99	300	-1	24	5	32
Prince Edward Island	1996-97	4	...	-	--	..
	1997-98	29	...	10	--	..
	1998-99	35	21	29	-	36
Nova Scotia	1996-97	242	...	16	2	31
	1997-98	476	...	14	3	30
	1998-99	510	7	14	3	30
New Brunswick	1996-97	185	...	19	..	27
	1997-98	596	...	19	..	29
	1998-99	507	-15	19	..	32
Quebec	1996-97	2,555	...	14	3	32
	1997-98	3,983	...	14	4	32
	1998-99	4,202	5	14	2	32
Ontario	1996-97	1,940	...	23	7	33
	1997-98	4,293	...	25	7	33
	1998-99	3,690	-14	24	1	34
Manitoba	1996-97	..	...	..	..	..
	1997-98	526	...	..	..	..
	1998-99	672	28	..	..	..
Saskatchewan	1996-97	445	...	16	78	29
	1997-98	928	...	29	73	29
	1998-99	1,083	17	17	70	29
Alberta	1996-97	1,004	...	27	22	..
	1997-98	1,343	...	26	22	..
	1998-99	1,035	-23	26	19	..
British Columbia	1996-97	1,064	...	15	15	31
	1997-98	2,080	...	16	16	32
	1998-99	2,142	3	15	17	34
Yukon	1996-97	22	...	23	23	30
	1997-98	50	...	20	93	29
	1998-99	60	20	..	86	29
Northwest Territories	1996-97	..	...	..	..	..
	1997-98	..	...	..	..	..
	1998-99	..	...	..	..	..
<b>Provincial/Territorial Total</b>	<b>1996-97</b>	<b>7,673</b>	<b>...</b>	<b>19</b>	<b>12</b>	<b>...</b>
	<b>1997-98</b>	<b>14,608</b>	<b>...</b>	<b>20</b>	<b>12</b>	<b>...</b>
	<b>1998-99</b>	<b>14,236</b>	<b>-3</b>	<b>18</b>	<b>11</b>	<b>...</b>

.. figures not available.

... figures not appropriate or applicable.

-- amount too small to be expressed

- nil or zero.

<sup>1</sup> Conditional sentences were introduced in September 1996.<sup>2</sup> Proportions are based on the number of known cases only.

Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.



## Box 5

### Case characteristics of conditional sentences

Of the total admissions to conditional sentences in 1998-99, females represented 18%, double the proportion of females admitted to provincial/territorial custody (9%). Over-representation of Aboriginal persons is seen in admissions to conditional sentences, as was the case with custody. As mentioned, Aboriginal persons account for 2% of the adult population; however they represented 11% of conditional sentence admissions. The median age of offenders upon admission to a conditional sentence ranged from 29 in Yukon and Saskatchewan to 36 in Prince Edward Island.

For the 1998-99 reference period, the Adult Correctional Services survey collected additional data on other characteristics of conditional sentences on a pilot basis. Data are not available for all jurisdictions<sup>13</sup>, so caution must be used in generalizing results.

Like custody admissions, the most serious offence reported upon admission to a conditional sentence was most likely to be a property offence, accounting for 42% of all conditional sentence admissions in 1998-99. In all jurisdictions that reported most serious offence data<sup>14</sup>, property crimes accounted for the highest percentage of admissions to conditional sentences. Violent crimes accounted for the next highest proportion of admissions (29%), where common or sexual assaults were reported most often in this category.

Perhaps surprisingly, the median sentence length upon admission to conditional sentences was longer than that of sentenced provincial/territorial custody in all reporting jurisdictions. For example, in 1998-99, the median sentence length on admission to provincial custody in Quebec was 1 month (30 days); for conditional sentences it was 8 months, eight times that for custody. Ontario's median sentence length for conditional sentence admissions (approximately 6 months) was about 4 times that of custody (approximately 1.5 months). Newfoundland reported the smallest difference between the median sentence length for custodial and conditional sentence admissions (3 months and 4.5 months respectively).

<sup>13</sup> Data from the pilot collection were received from Newfoundland, New Brunswick, Quebec, Ontario, Alberta and Yukon.

<sup>14</sup> Alberta was unable to report most serious offence data.

The actual number of admissions, both to custody and conditional sentences, has been dropping steadily. Many factors can have an impact on the rates of admission to custody, including decreasing crime rates in general (especially those crimes that historically receive more sentences to custody), restorative justice initiatives, and changing sentencing patterns. In addition, as the population has been aging, the size of the age cohort generally recognized as being most criminally active is decreasing. This will clearly have an effect on trends in both the rate of crime and the numbers of admissions to correctional supervision.

### Probation still widely used

When an offender is ordered by the court to serve a sentence of probation, the sentence is served in the community under the supervision of a probation officer. The offender must abide by certain conditions as prescribed in the probation order, often similar to those that may be ordered for a conditional sentence. Probation may be ordered as a sentence on its own, or in conjunction with other sanctions. Offenders are often required to serve a term of probation after completion of a custodial sentence.

In 1998-99, the number of admissions to probation totalled 78,819, a 2% decrease from 1997-98. As Table 6 shows, admissions to probation declined in half of the provinces or territories: Prince Edward Island (24%), New Brunswick (6%); Quebec (5%); British Columbia (5%); Newfoundland (4%); and Ontario (4%).

Manitoba noted a large increase (21%) in the number of admissions to probation in 1998-99 (4,426), almost double the number in 1989-90 (2,421). Probation admissions also increased in Alberta (10%) and Yukon (4%). The number of admissions to probation remained stable in Nova Scotia and Saskatchewan.

Despite the slight decrease in admissions to probation in 1998-99, it is important to note the general increase in the use of probation during the 1990's. The most significant increase in probation admissions occurred in 1991-92 (an increase of 20% over the previous year). Since then, probation admissions have fluctuated slightly from year to year, but the number of admissions to probation is still 34% higher than the 58,995 admissions in 1989-90.

Analysis of trends by jurisdiction still hides considerable variation in the use of probation across the country. Looking at probation rates in terms of the number of admissions to probation per 10,000 adults charged by police with a criminal offence, the national rate was 1,542 per 10,000 adults charged. However, probation rates varied from a low of 723 per 10,000 adults charged in Quebec, to 3,850 per 10,000 adults charged in Yukon.

### Profile of offenders upon intake to probation – differs little from offenders admitted to conditional sentences

As with provincial/territorial and federal custody and conditional sentences, on intake to probation, offenders are typically male (84%) and relatively young. In 1998-99, 63% of offenders admitted to probation were between the ages of 18 and 34 years. The median age on intake to probation ranged from 28 years in New Brunswick and Saskatchewan to 33 years in Newfoundland. Female offenders accounted for a greater percentage of probation admissions than sentenced admissions to provincial/territorial custody (16% versus 9%), possibly reflecting the less serious nature of crimes committed by women and less lengthy criminal records. Aboriginal persons represented 13% of admissions to probation, compared with 11% to conditional sentences, and 17% to custody.

A considerable proportion of offenders admitted to probation in 1998-99 was convicted of a violent offence (39%). It is important to note that, while the aggregate Adult Correctional Services Survey cannot link definitively the same individuals who have started their supervision in custody, it is likely that many of these probationers admitted on a violent offence commenced their period of supervision with a sentence to custody, thereby also counted in the custody admissions. In fact, analysis provided in the *Juristat* entitled "Adult Criminal Court Statistics, 1998-99" indicates that "a substantial proportion of cases involving a *crime against the person* received probation in addition to a term of imprisonment." (Roberts & Grimes, 2000)

Table 6

## Number of probation admissions, 1998-99

Jurisdiction	Number of admissions	% change from previous year	Percent female <sup>1</sup>	Percent Aboriginal <sup>1</sup>	Median age	Admissions per 10,000 adults charged
Newfoundland	1,903	-4	16	6	33	2,770
Prince Edward Island	564	-24	..	..	..	3,462
Nova Scotia	3,719	--	15	4	30	2,388
New Brunswick	1,740	-6	16	..	28	1,635
Quebec	6,877	-5	12	8	31	723
Ontario	34,469	-4	17	7	31	1,944
Manitoba	4,426	21	..	..	..	1,653
Saskatchewan	3,305	1	19	63	28	997
Alberta	8,544	10	18	20	..	1,388
British Columbia	12,805	-5	15	17	31	1,727
Yukon	467	4	20	80	29	3,850
Northwest Territories	..	..	..	..	..	..
<b>Provincial/Territorial Total<sup>2</sup></b>	<b>78,819</b>	<b>-2</b>	<b>16</b>	<b>13</b>	<b>...</b>	<b>1,542</b>

.. figures not available.

... figures not appropriate or applicable.

-- amount too small to be expressed.

<sup>1</sup> Proportions are based on the number of known cases only.<sup>2</sup> Percentage change calculation from the previous year excludes Northwest Territories.

Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

A further 35% of admissions to probation were for property offences. Quebec was the only province where offenders were admitted to probation more often for property crimes (39%) than for violent crimes (31%).

As with conditional sentences, the median sentence length upon admission to probation is longer than that of sentenced provincial/territorial custody. Median sentence lengths for probation ranged from a low of 10 months in New Brunswick to a high of 24 months in Quebec, compared to a low of 15 days in New Brunswick to 120 days (approximately 4 months) in Manitoba for sentenced provincial/territorial admissions.

### Parole – grant decisions and successful completions

Parole is a form of conditional release from a custodial facility, which allows offenders to serve part of their sentence in the community. Decisions with respect to parole (e.g., parole review dates, decisions to grant parole, decisions to revoke parole, etc.) are generally the responsibility of the parole boards in Canada, with minor exceptions. Three provinces (Quebec, Ontario and British Columbia) operate parole boards that are responsible for parole-related decisions concerning inmates in their provincial prisons. The National Parole Board is responsible for decisions relating to parole for all offenders serving custodial sentences of over two years, as well as for those provincial/territorial inmates in provinces and territories that do not operate their own parole boards.

Parole boards must take a number of factors into consideration when making a decision as to whether to release an offender on parole. The major considerations can include the following: the offender's criminal history, including the kinds of offences committed, and the length of criminal-free activity between convictions; the seriousness of the current

#### Box 6

##### Types of conditional release

There are three types of conditional release by which offenders may be released into the community: day parole, full parole and statutory release. Only day parole and full parole apply to provincial/territorial offenders.

- **Day parole** provides offenders with the opportunity to participate in on-going community activities. Usually the offender resides at a correctional institution or halfway house in the community. Inmates are granted day parole in order to help them reintegrate back into the community, participate in educational or training programs, work and prepare for eventual full parole or statutory release (federal offenders only);
- **Full parole** is a form of conditional release from prison granted at the discretion of the parole authorities. Offenders released from prison on full parole serve part of their sentence in the community under supervision. If the offender violates the conditions of parole, he or she may be returned to prison to serve the balance of the sentence in custody. Most federal inmates are eligible for full parole after having served one-third of their sentences.<sup>15</sup>;
- **Statutory release** requires that federal inmates serve the final one-third of their custodial sentence in the community under supervision. Offenders on statutory release are typically inmates who either waived full parole, or who were denied release on full parole.<sup>16</sup>

<sup>15</sup> For a limited number of offences, the sentencing judge can defer the parole eligibility date from one-third to one-half of the sentence. Inmates serving life terms have different parole eligibility dates (usually set by the court), depending on the seriousness of the crime for which their life terms were imposed.

<sup>16</sup> Some offenders will be detained in prison for the full sentence.



offence; the inmate's comprehension of his or her criminal behaviour and efforts taken to change that behaviour; accomplishments during incarceration (e.g., successful training, participation in activities and/or programs, etc.); behaviour while on temporary absence release or day parole (if applicable); previous parole violations; interpersonal relationships; the offender's release plan (e.g., where he or she will live, support from family and friends, definite plans for employment or training, etc.); risk to re-offend, and possible effects on the community (National Parole Board, 1987).

Trends in parole can be analyzed using the grant rate, which represents the percentage of inmates who applied for day or full parole and were granted release on parole. The National Parole Board's grant rate for federal offenders who applied for day parole increased for the third year in a row (2%), reaching 74%, the highest level in more than a decade. The provincial/territorial day parole rate for National Parole Board cases, increased by 23% in 1998-99 (to 64%), the first increase in 7 years. Despite this increase, the National Parole Board's day parole grant rate for provincial/territorial offenders is still 10% below the grant rate for federal offenders.

In 1998-99, the full parole grant rate for federal offenders increased for the fourth consecutive year, to 44% from 42% in 1997-98. What is noteworthy is that not only have the federal grant rates increased, but the actual number of federal offenders granted parole has been increasing as well. In 1998-99, there were 7% more offenders granted parole than in 1997-98 (see Table 7). Provincially, the National Parole Board granted full parole in 62% of its provincial/territorial cases. This is a considerable increase over the proportion (43%) in 1997-98.

The grant rate for the provincial parole boards has remained relatively stable<sup>17</sup> (near 51%) since 1996-97. Despite this stability, it is interesting to note that the number of offenders

granted full parole has been declining recently. In 1998-99, there were 3,813 full paroles granted by the Ontario and Quebec parole boards, a decrease of 4% over 1997-98. Declining numbers of offenders being granted parole may be a consequence of the recent declining numbers of sentenced admissions to custody.

### A large proportion of offenders complete their periods of parole successfully

Conditional release may be suspended as a result of a violation of the release conditions or because there are reasonable grounds to believe that continuation of the release will result in a risk to the public. When conditional release is suspended, the parolee or person on statutory release is returned to custody while an investigation commences immediately. The case may be referred to the parole board of authority, which has the authority to cancel the suspension or revoke the release. Prior to revocation the offender has a chance to make representation to the parole board at a post-suspension hearing. If the release is revoked or terminated the offender is returned to custody (National Parole Board, 1987).

A majority of parolees serve the remainder of their sentences in the community on parole, without violating their parole conditions. A successful completion of parole is typically defined as a completion of the sentence without revocation or suspension for breach of condition or re-offence.

Provincial/territorial offenders, released by the National Parole Board, who completed their day parole in 1998-99 had a success rate of 79%, compared with an 81% full parole success rate (both 3% lower than the previous year). Where

<sup>17</sup> Grant rate data based on data from the Ontario and Quebec parole boards, since parole data for British Columbia have not been available for the past three years.

Table 7

### Full parole grant rate, provincial parole boards and National Parole Board, 1996-97 to 1998-99

	Released by provincial parole boards <sup>1</sup>								
	Quebec			Ontario			Total		
	Granted	Denied	Grant rate (%)	Granted	Denied	Grant rate (%)	Granted	Denied	Grant rate (%)
1996-97	2,945	1,598	65	1,476	2,725	35	4,421	4,323	51
1997-98	2,760	1,674	62	1,231	2,348	34	3,991	4,022	50
1998-99	2,728	1,521	64	1,085	2,195	33	3,813	3,716	51
	Released by National Parole Board								
	Federal offenders			Provincial/territorial offenders					
	Granted	Denied	Grant rate (%)	Granted	Denied	Grant rate (%)			
1996-97	1,745	2,611	40	462	424	52			
1997-98	1,979	2,730	42	325	425	43			
1998-99	2,118	2,747	44	435	267	62			

<sup>1</sup> Percentage change calculation from the previous year excludes Prince Edward Island and Northwest Territories.  
Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada.

provincial parole boards had releasing authority for full parole, 79% of completed full paroles were done so successfully in 1998-99, relatively consistent with 1997-98 levels.

The National Parole Board's day parole program for federal offenders has had higher successful completion rates than for full parole or statutory release. In 1998-99, 83% of the federal day paroles completed were done so successfully. Few day paroles completed during the year were revocations due to the commission of another offence (6%), while another 11% of the completions were due to breach of one or more conditions of release.

In 1998-99, of the federal full paroles completed during the year, 72% were completed successfully, an increase over the 68% successful completions in 1997-98. As with day parole, few full paroles are revoked due to the commission of another offence (13%). In 1998-99, 2% of full parole completions were the result of the commission of a violent offence while on full parole, and 12% were for the commission of a non-violent offence. The remaining 14% of completions of full parole occurred where one or more conditions of release were breached.

The successful completion rate for statutory release (60%) continues to be considerably lower than the rates for federal day and full parole. However, in 1998-99, the proportion of completions as the result of the commission of another offence while on statutory release (14%) was practically the same as the proportion for full parole. Unsuccessful statutory releases were typically the result of breaching one or more conditions, representing 26% of completions. The success rates for day and full parole as well as statutory release would contradict the possible public perception that a significant number of offenders on parole re-offend.

### Conclusion and Future Concerns in Canadian Adult Corrections

High levels of incarceration have been a concern for Canada's criminal justice system for many years. From a policy perspective, attempts have been made to reduce the reliance on custody as a sentencing option, including conditional sentencing. Though admissions to provincial/territorial custody have been declining, this cannot be attributed specifically to the introduction of the conditional sentence since admissions to custody were declining prior to its inception. Also, crime rates have been declining, especially those crimes for which offenders are more likely to be incarcerated (i.e., violent and property crimes). Admissions to both custody and community supervision declined in 1998-99, which is most likely a reflection of the declining rates of crime, especially for property and violent crimes.

The conditional sentence, however, will continue to receive much attention, from both the criminal justice system and from the public. While it still may be too early for policy-makers to comment on the effectiveness of this sanction, one thing that is clear is that more information about its use is required. This would increase the ability to evaluate this option as an effective means of balancing public safety and offender rehabilitation in the community.

#### Box 7

##### Expenditures on adult corrections are increasing

In 1998-99, overall operating expenditures for federal and provincial/territorial adult corrections reached \$2.26 billion compared with \$2.08 billion in 1997-98, an increase of 9%. However, after adjusting to control for inflation, total 1998-99 operating expenditures were \$2.08 billion (in 1992-93 dollars), an 8% increase over the 1997-98 adjusted expenditures of \$1.94 billion.

Federal operating expenditures on corrections (including parole) reached \$1.14 billion in 1998-99, up 11% from 1997-98. Spending on correctional services at the provincial/territorial level was \$1.11 billion, a 6% increase over 1997-98.

In 1998-99, the average daily cost of housing an inmate at the federal level was \$171, up 10% from 1997-98. To house provincial/territorial inmates, the average daily cost actually declined marginally (0.5%) to \$123. Provincially, the average daily inmate cost varies substantially across the country. In 1998-99, it ranged from a low of \$81 per inmate per day in Alberta, to a high of \$230 in Yukon.

A continual concern is the over-representation of Aboriginal persons in custody. Though addressed as a priority in the *Corrections and Conditional Release Act*, efforts to reduce the number of Aboriginal admissions to custody have not yet been successful. Where the answer lies continues to be explored and debated - whether it possibly be in restorative justice, the sensitization of the judiciary to Aboriginal needs (as the Supreme Court of Canada judgment in the Gladue case would suggest), or other possibilities.

The range of issues and concerns related to corrections in Canada is diverse. Current and future concerns of the justice system and the public in the area of corrections seem to be related to a broad mix of recurring issues from the past, along with changing demographics and attitudes towards crime. For these reasons, creative solutions need to be explored in an attempt to reduce crime in a humanitarian way, while maintaining a safe and just society.

## METHODOLOGY

The data summarized in this *Juristat* are drawn from the Adult Correctional Services (ACS) survey, which is conducted annually on a fiscal year basis (from April 1 to March 31). The survey collects aggregate caseload and case characteristics data on adult offenders under the authority of provincial/territorial and federal correctional agencies in Canada. Data relating to operating expenditures and personnel are also collected on a fiscal year basis through the ACS Resource, Expenditures and Personnel (REP) survey. It is important to note that the expenditure data reported do not include "capital costs" (e.g., building construction costs) which are incurred over and above daily operational costs. Data for both surveys are collected via paper questionnaires sent to provincial/territorial and federal agencies responsible for the administration of correctional services.



Table 8

### Total admissions, by type, by jurisdiction, 1998-99 (provincial/territorial and federal)

Jurisdiction	Provincial/territorial admissions							Federal			
	Sentenced custody	Remand	Other/ temporary detention	Probation	Conditional sentences	Provincial parole boards	Total provincial/ territorial admissions	Admissions		Releases	
								Sentenced custody	Other custody	Conditional release <sup>1</sup>	Total federal admissions and releases
Newfoundland	1,199	306	5	1,903	300	...	3,713	..	..	..	..
Prince Edward Island	803	134	-	564	35	...	1,536	..	..	..	..
Nova Scotia	1,964	1,399	426	3,719	510	...	8,018	..	..	..	..
New Brunswick	2,273	1,101	-	1,740	507	...	5,621	..	..	..	..
Quebec	21,735	25,342	2,714	6,877	4,202	2,682	63,552	..	..	..	..
Ontario	32,815	45,351	5,151	34,469	3,690	960	122,436	..	..	..	..
Manitoba	1,393	3,182	3,955	4,426	672	...	13,628	..	..	..	..
Saskatchewan	3,850	7,175	316	3,305	1,083	...	15,729	..	..	..	..
Alberta	15,491	8,298	-	8,544	1,035	...	33,368	..	..	..	..
British Columbia	9,628	11,076	-	12,805	2,142	527	36,178	..	..	..	..
Yukon	300	318	4	467	60	...	1,149	..	..	..	..
Northwest Territories	1,594	1,293	-	..	..	...	2,887	..	..	..	..
<b>Total</b>	<b>93,045</b>	<b>104,975</b>	<b>12,571</b>	<b>78,819</b>	<b>14,236</b>	<b>4,169</b>	<b>307,815</b>	<b>4,493</b>	<b>2,925</b>	<b>7,406</b>	<b>14,824</b>
<b>Total admissions to correctional supervision</b>	<b>322,639</b>										

.. figures not available.

... figures not appropriate or applicable.

- nil or zero.

<sup>1</sup> Conditional release includes offenders released from federal custody on day parole, full parole and statutory release.

Given the aggregate nature of the survey, there are several limitations in data analysis. For instance, since the individual jurisdictions report medians and means based on their respective micro-data, it is not possible to calculate overall medians for various data elements. Also cross-tabulations of data elements are limited to the survey's aggregate data categories, and the examination of characteristics of certain types of offenders is not possible, thus limiting the available depths of data analysis.

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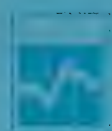
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*Integration and Analysis Program*

### Introduction

Each year, the Canadian Centre for Justice Statistics (CCJS) at Statistics Canada produces publications and survey products covering the principle components of the criminal justice system: police, courts and corrections. "The Justice Factfinder" is produced in response to questions posed by the justice community, the media and the general public. This information is intended to provide a national summary of critical issues covered in-depth by publications produced over the course of the year. This year's Factfinder Juristat will address the following questions:

- Are crime rates increasing or decreasing?
- What does violent crime look like in Canada?
- Should we be concerned about the presence of firearms?
- What kinds of offences do youths commit?
- How are courts dealing with youth crime?
- How many youths are in custody?
- What is the nature and extent of family violence?
- Who is hurting our children?
- Who is committing family homicide?
- Is decreasing police reported crime affecting court caseloads?
- How are courts responding to crime?
- How many people are under correctional supervision?
- Who is in custody?
- What do justice services cost?

#### Text Box 1

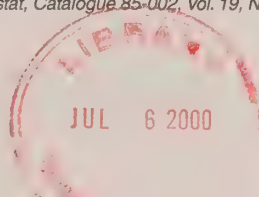
##### The Justice Factfinder

This *Juristat* provides an overview of the criminal justice system from the reporting of a crime to the serving of a sentence. Tracking the flow of persons or events from one justice sector to another presents many challenges. For one, data from different sectors do not always operate on the same time frames. Also, some justice surveys are still being implemented and have not yet achieved complete or representative coverage across Canada. There are also problems in identifying repeat offenders in the same year, or linking police-reported offences with court cases, due to reporting variations. Despite some limitations, questions on what happens at each stage of the justice system can be effectively answered. In addition to addressing each sector of the justice system, this *Juristat* also answers some pertinent questions on topical issues such as youth crime and family violence.

### Are crime rates increasing or decreasing?

There were 2.5 million Criminal Code incidents reported in 1998 which translates into a crime rate of 8,102 incidents per 100,000 population<sup>1</sup>. In the early 1990s, Canada's crime rate peaked, however, since that time it has been falling at a steady rate. From 1997 to 1998 the police reported crime rate dropped by 4%. This is the seventh consecutive year the crime rate has dropped representing a total decrease of 22% since 1991 making 1998 the lowest rate since 1979. Despite the decline in reported crime, a recent public opinion survey indicated that 75% of Canadians feel crime is getting worse (Environics, 1998).

<sup>1</sup> For further information, see "Crime Statistics in Canada, 1998" by Sylvain Tremblay, *Juristat*, Catalogue 85-002, Vol. 19, No. 9.





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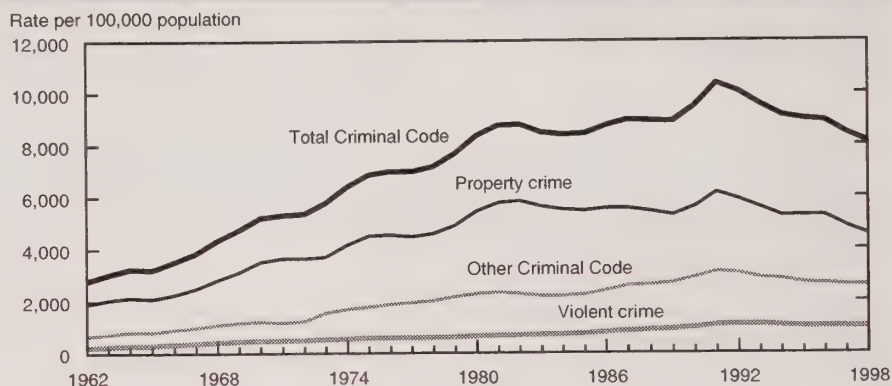
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Examining the number and kinds of incidents reported to the police can provide a clearer understanding of the crime picture in Canada. Property crime accounted for the largest proportion (56%), followed by other Criminal Code incidents, including failure to appear and public order offences, among others, (32%) while violent crime made up only 12%. This breakdown has been consistent historically.

Figure 1

## Crime Rates by Major Offence Category, Canada, 1962-1998



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics.

Other countries have also experienced recent declines in their crime rates. The Federal Bureau of Investigation (FBI) reported that the 1999 preliminary indexed crime rate<sup>2</sup> in the United States also dropped for the eighth year in a row, down 7% from the previous year. Similarly, overall reported crime in England and Wales has fallen at a steady rate since 1992 including an 8% decrease from 1997 to 1998.

## What does violent crime look like in Canada?

Violent crimes are those which fall into one of the following categories: homicide, attempted murder, sexual assault, assault, other sexual offences, abduction/kidnapping, robbery, and other violent offences, such as assault against a public/peace officer and criminal harassment. In keeping with the overall trend, violent crime rates have declined since 1992, including a 2% drop in 1998. From 1977 to 1992, violent crime rates had increased (Figure 1), however, much of that increase is directly attributable to a large increase in the rate of common, or level 1, assaults<sup>3</sup>. Common assault is the least serious form of assault and it accounts for more than 6 out of 10 violent crimes (Figure 2).

Homicide is commonly considered an important indicator of violent crime due to the fact that all homicides are almost certainly recorded in police statistics. In 1998, there were 555 homicides and 738 attempted murders. The homicide rate (1.8 per 100,000 population in 1998) has generally been declining since the mid-1970s. This trend continued with 31 fewer homicides in 1998 compared to 1997, representing a 6% drop in the rate. The rate of attempted murders also fell in 1998 (-16%), generally following the trend in the rate of homicide.<sup>4</sup>

<sup>2</sup> The U.S. Crime Index is composed of the violent crimes of murder, non-negligent manslaughter, forcible rape, robbery and aggravated assault, and the property crimes of burglary, larceny-theft, motor vehicle theft and arson.

<sup>3</sup> The Criminal Code defines different categories of assault. Assault (level 1) or common assault is the least severe form of assault. This offence includes behaviours such as pushing, slapping, punching, face-to-face verbal threats, and threats by an act or gesture which were used in the commission of the assault, however, there was little or no bodily harm inflicted. Assault (level 2) is assault with a weapon or causing bodily harm. Assault (level 3) is aggravated assault. Lastly, there are other assaults which include assault on a peace officer, unlawfully causing bodily harm, discharge of firearm with intent and all other assaults.

<sup>4</sup> For further information, see "Homicide in Canada, 1998" by Orest Fedorowycz, Juristat, Catalogue 85-002, Vol. 17, No. 3.

## Text Box 2

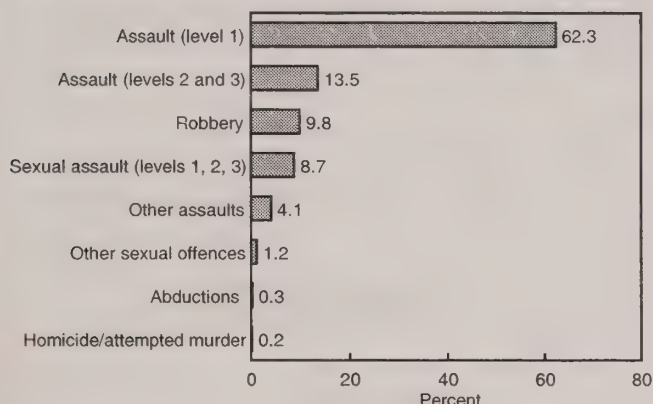
### 1998 UCR2 - Incident-Based Data File

The revised UCR survey captures detailed information on individual criminal incidents reported to police, including characteristics of victims, accused persons and incidents. The survey presently collects data from 169 police agencies in six provinces. These data represent 46% of the national volume of actual Criminal Code crimes.

**The reader is cautioned that these data are not nationally representative:** respondents from Quebec account for 41% of the sample and those from Ontario account for a further 35%. Outside of Quebec, these data are largely an urban sample. Please refer to the methodology section for more information. All calculations exclude records where the variable under study is reported as "unknown", unless otherwise mentioned.

Figure 2

### Violent Crime Categories, Canada, 1998



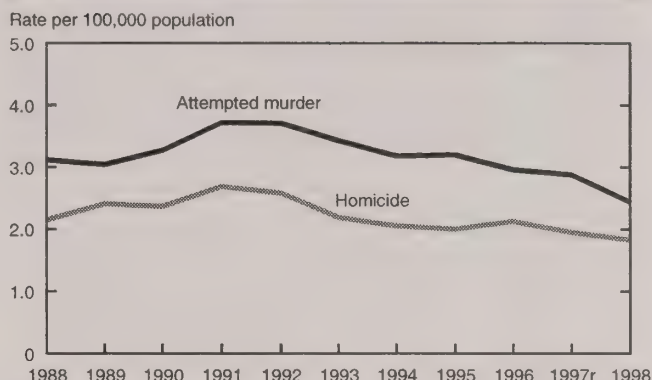
**Source:** Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics.

While homicide is considered to be the most serious crime, sexual assault is also ranked as one of the most serious types of violent crime. Like assault, sexual assault is divided into one of three levels according to the severity of the incident. There were 25,493 reported incidents of sexual assault in 1998 representing less than 10% of all violent crimes (84 per 100,000 population). The vast majority (97%) of these incidents were Level 1 sexual assault. The rate of total sexual assaults has declined for five consecutive years, including the most recent drop of 7% in 1998.

Data from the Incident-based Uniform Crime Reporting (or UCR2) survey (see text box 2) illustrate that the vast majority of victims of sexual assault were female (85%). Female victims were most frequently victimized by a casual acquaintance (33%), followed by a stranger (26%) and a family member (25%). Victims of sexual assault tended to be quite young, with almost 60% of victims under 18 years of age.

Figure 3

### Homicide and Attempted Murder Incidents, Canada, 1988-1998



**Source:** Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics.

## Should we be concerned about the presence of firearms?

Despite growing concerns about the use of firearms (see text box 3) in violent crime, data from 94 police departments indicate the percentage of violent crime with a firearm present declined from 6.5% in 1994 to 4.8% in 1998 (Table 1). Firearms were present in 34% of homicide incidents, 29% of attempted murders, 10% of aggravated assaults and in 9% of assaults with a weapon.

According to the aggregate UCR survey, fewer robberies now involve firearms. In the last seven years the rate for this type of robbery has fallen by a total of 44%, including a 4% decrease in 1998. Of all robberies committed in 1998, 18% of these were committed with a firearm. This compares favorably to ten years ago when the rate was 25% and twenty years ago when the rate was 37%.

Table 1

### Presence of Most Common Weapons in Violent Incidents, Sample of 94 Police Services, 1994-1998

	1994	1995	1996	1997	1998
	%				
Firearms	6.5	6.0	6.1	5.2	4.8
Knives	8.0	7.9	8.2	8.2	7.0
Club/Blunt Instrument	7.8	6.7	6.3	6.3	6.2
Other Piercing/Cutting Objects	1.7	1.6	1.6	1.5	1.5
<b>Total Most Common Weapons</b>	<b>24.0</b>	<b>22.2</b>	<b>22.2</b>	<b>21.2</b>	<b>19.5</b>

**Source:** Non-representative sample of 94 police services representing 35% of all volume crime.



### Text Box 3

#### The New Firearms Legislation

The new Firearms Legislation, which stemmed from Bill C-68 adopted by Parliament in 1995, began its gradual introduction on December 1, 1998. The legislation created new offences for gun smuggling and trafficking, as well as prohibiting a number of different types of handguns, and introduced new mandatory penalties for those who use firearms during the commission of a crime. The new law requires all firearm owners and users to obtain a firearm license before January 1, 2001 and to register all firearms (including rifles and shotguns) by January 1, 2003. The law aims at reducing the number of deaths and injuries attributable to firearms by encouraging safer usage and storage of firearms as well as facilitating police investigations when incidents involve such weapons. As a result of the new legislation, the UCR survey has undergone modifications to the statistical breakdowns related to offensive weapons and a new general category entitled "Firearms Act" under "other Federal Statutes" has been created. In 1999, the UCR survey will begin collecting data according to the new offences, which include illegal use of firearms, illegal possession of weapon, weapon trafficking and importation, and other offences related to weapons.

### Text Box 4

#### Youth Crime – Alternative Measures

Young persons in conflict with the law may or may not be formally charged. The decision to proceed with the laying of a charge is influenced by many factors, one of which is the eligibility of the youth for an alternative measures program. As outlined in the Young Offenders Act, the objective of alternative measures (AM) is to avoid court proceedings for young persons, provided certain conditions are met. Generally, referrals to AM programs are made before charges are laid and are reserved for first time offenders. In addition, when dealing with first-time offenders involved in minor incidents, police may choose to deal with a youth informally by giving them a warning or discussing the incident with the youth's parents.

As a result, charge rates are influenced by the extent to which AM is used, whether AM is used at the pre- or post-charge stage, and the extent to which youths are dealt with informally. Consequently, there are limitations to using the youth charge rate as an indicator of the prevalence of youth crime, particularly with respect to measuring relatively minor offences committed by first time offenders.

## What kinds of offences do youths commit?

In recent years, the media have reported several cases of extreme violence involving young offenders between the ages of 12 and 17 years. These highly publicized cases may have contributed to the increased concern of Canadians about crime committed by young people.

Fuelled by a decrease in youth charged for property crimes (-8%), the overall rate of youths charged with Criminal Code offences dropped for a seventh consecutive year in 1998 (-4%). In total, youths aged 12 to 17 years were charged with Criminal Code offences at a rate of 4,363 per 100,000 youths, compared to 6,259 in 1991.<sup>5</sup>

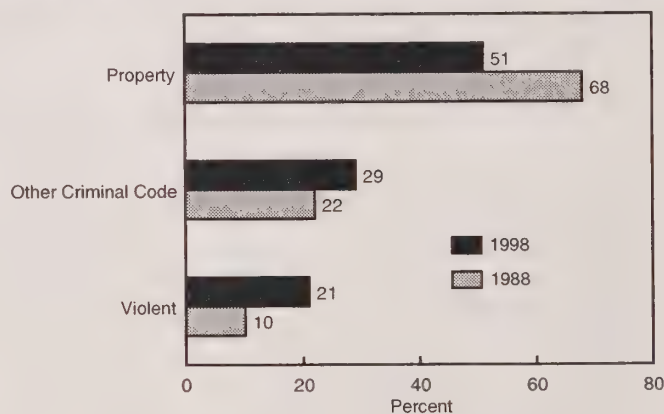
With the increasing use of diversion for many first-time, non-violent offenders, it is important to also examine the trend in youths "not formally charged" by police. While not all police services provide these statistics, those that collect such information indicate that the number of youths "not charged" has also been stable or declining in recent years. This suggests that the decrease in youths charged is not simply a reflection of increased use of alternative measures. The term alternative measures refers to formalized programs across Canada, other than judicial proceedings, that are designed to balance society's right to protection with the needs of youth and adults in conflict with the law. These alternatives can include such things as apologies, financial restitution, community service, and counseling to name but a few.<sup>6</sup> (see text box 4)

In general, youth crime tends to be more property-oriented than crimes committed by adults. Following this pattern, in 1998, property crimes still accounted for half (51%) of youth crime, compared to only 37% of all adults charged. A further 21% of youths were charged with violent crime, compared to 29% of adults. The remaining youths were charged with other Criminal Code offences, such as mischief and offences against the administration of justice. This reflects the change in distribution from a decade ago when 68% of youths were charged with property crimes and 10% with violent crimes

(Figure 4). Increases in youths charged with common assault (level 1) and decreases in charges for theft and breaking and entering account for much of this shift.

Figure 4

#### Youths Charged by Offence Category, 1988-1998



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics.

Notwithstanding recent declines, the violent youth crime rate is still 77% higher than 10 years ago. In 1998, the rate of youths charged with violent crime declined slightly (-1%) for the third year in a row, while the rate of youths charged with sexual assault decreased for the fifth year in a row, reaching its lowest level since 1988. An examination of the characteristics of youth victimization reveals that over half (52%) of the victims of violent crimes committed by youths are other youths. Children under 12 account for 11% of the victims,

<sup>5</sup> For further information, see "Youth Violent Crime", by Josée Savioe, *Juristat*, Catalogue 85-002, Vol. 19, No. 12.

<sup>6</sup> For further information, see "Alternative Measures for Youth in Canada", by Melanie Kowalski, *Juristat*, Catalogue 85-002, Vol. 19, No. 8.

while adults account for the remaining 37% of the victims. In 1998, only 2% of victims of youth violent crime were 55 years of age or over.

Further analysis reveals that a weapon was present in 14% of violent incidents committed by youths, similar to the proportion for adults (13%). The most common weapon was a knife or other cutting object (48% and 29% respectively). Male youths tended to use knives more frequently than adult males (48% vs. 38%); however, the proportions were more similar between female youths and adults.

## How are courts dealing with youth crime?

Like the perceived increase in youth crime rates, the sentencing of young offenders is also a subject of concern, with the YOA frequently being criticized by opponents as being too lenient. In 1998/99 106,655 cases were processed in youth courts in Canada. This represents a 4% decrease from the previous year and a decrease of 7% from 1992/93.

Consistent with previous years, over two-thirds (67%) of the cases heard resulted in a finding of guilt. Of these cases, almost half (48%) received probation as the most serious disposition, and over one-third (35%) received a custodial sanction. Community service orders (7%), fines (6%) and other sanctions (5%) such as restitution and conditional discharges, made up the remainder of dispositions.

Of those cases that received a custodial sanction (open and closed), most were for three months or less. Approximately one-third (32%) were for terms of less than one month, 45% were from one to three months, 16% for terms of four to six months, and 7% for a term of over six months. The median sentence length for cases resulting in custody was one month. The vast majority (78%) of cases receiving probation as the most serious disposition were for periods not exceeding one year. Less than one-quarter (23%) were for periods under six months, 55% ranged from 7 to 12 months, and the remainder (22%) were for more than one year. The median sentence length for probation was just under one year.

Much concern has also been raised about repeat young offenders and the sentences they receive. Most young offenders are not repeat offenders. In 1998/99, 42% of youths sentenced were considered recidivists. One in five convicted young offenders (20%) had only one previous conviction, 10% had two previous convictions and 12% had 3 or more previous convictions. Sentencing patterns reveal that recidivists generally received harsher sanctions. In 1998/99, 14% of cases involving first-time offenders resulted in a custody term, while this sanction was imposed in 33% of cases involving young offenders with one prior conviction, 48% of those with two prior convictions, and 66% of those with three or more prior convictions.<sup>7</sup>

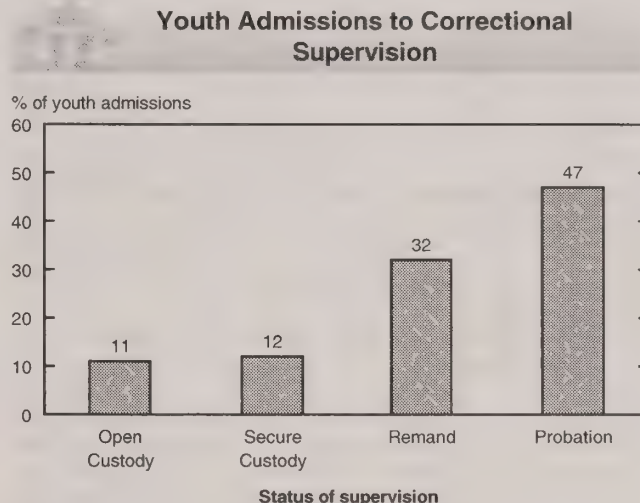
## How many youths are in custody?

Information on those admitted to supervision reveals that in 1997/98, there were over 42,000 young offender admissions (excluding Saskatchewan) into either remand, secure or open custody. This translates to a rate of 182 admissions per 10,000 youth in the population. Overall, there were 80,000 admissions

into some form of supervision (secure, open, remand or probation). Although the largest proportion was for probation (47%), the remainder were held under some form of custody<sup>8</sup> (Figure 5).

Female offenders made up less than one in five (17%) of the total admissions to open or secure custody.<sup>9</sup> The most common age for both sexes was 16 years old. Although more males were admitted than females, a larger proportion of females under 15 years old were admitted to either open or secure custody.

Figure 5



Source: Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics.

## What is the nature and extent of family violence?

In 1998, victims of spousal violence represented 18% of all victims of violent offences reported to the UCR2 survey. While men comprise a small proportion of these victims, women were more likely to be victimized by a spouse than men. Of the more than 24,000 incidents of spousal violence reported in 1998, women accounted for 87% of victims.

Based on a sample of 110 police agencies in 5 provinces that have consistently participated in the UCR2 survey since 1995, it is possible to examine certain emerging trends in police-reported spousal violence in Canada. Overall, the number of incidents reported to the police between 1995 and 1998 has declined 2%. However, there was great variation in the number of incidents reported to police within these years. Between 1995 and 1997 the number of incidents reported to the police dropped 14% then rose 12% between 1997 and

<sup>7</sup> For further information, see "Youth Court Statistics, 1998/99 - Highlights" by Denyse Carrière, *Juristat*, Catalogue 85-002, Vol. 20, No. 2.

<sup>8</sup> For further information see, "Youth Custody and Community Services in Canada, 1997-98" by Leonard et al., *Juristat*, Catalogue 85-546.

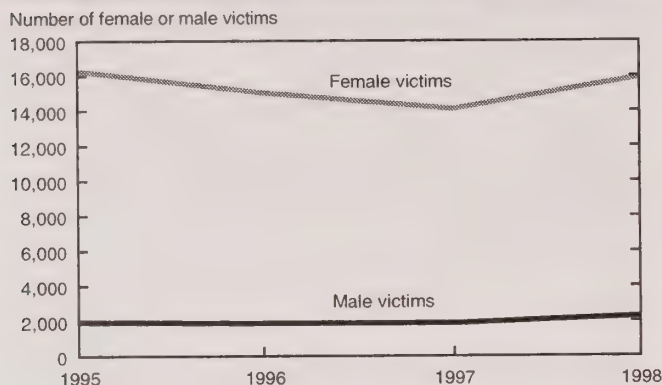
<sup>9</sup> Excludes data from New Brunswick, Quebec, Saskatchewan and the Northwest Territories.



1998. Both women and men reported increases in spousal violence between 1997 and 1998 (11% and 17% respectively) (Figure 6).

Figure 6

### Recent Increases in the Number of Spousal Assaults Reported to the Police, 1995-1998<sup>1</sup>



<sup>1</sup> Based on a sample of 110 police forces reporting consistently to the UCR2 from 1995 to 1998.

Source: Revised Uniform Crime Reporting Survey (UCR2), Canadian Centre for Justice Statistics.

The decline in reporting between 1995 and 1997 appears to have been driven by the number of women who reported spousal violence incidents to the police. Between 1995 and 1997, the number of spousal incidents reported to the police by women dropped 15%, while the number of spousal incidents reported to the police by men dropped 4%.

## Who is hurting our children?

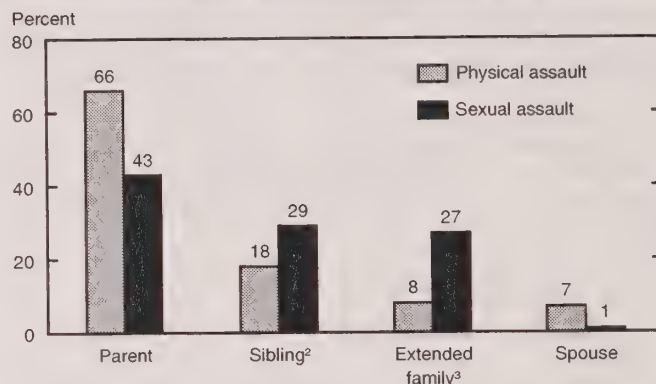
While police-reported incidents of violence against children<sup>10</sup> represent only a partial image of the extent of such violence, these reports provide an opportunity to profile cases of maltreatment that are detected and acted on by a sample of police agencies in Canada. In 1998, children and youth under 18 years of age made up 24% of the Canadian population and were the victims in 24% of all police-reported assaults. They represented a majority of all sexual assault victims (59%), and nearly one-fifth (19%) of all physical assault victims. It should be noted, however, that in actual number, physical assaults against children and youth outnumbered sexual assaults by nearly 3 to 1.

Family members were suspected in one-quarter (24%) of all assaults against children and youth (31% were sexual assaults, and 21% were physical assaults) reported to the police in 1998. Girls and boys were the victims of sexual assault by family members in roughly similar proportions (30% and 32% respectively). In the case of physical assault, however, girls were comparatively more likely than boys to be assaulted by family members and less likely to be assaulted by strangers (31% and 15% respectively). This is consistent with the pattern of physical assaults against adults, where a higher proportion of women were victimized by family members (59%), and specifically by spouses (47%), than was the case for men (13% and 7% respectively).

Within families, parents are the main perpetrators of assault against children and youth. Parents represented 66% of family members accused of physically assaulting their children and 43% of those accused of sexual assault (Figure 7). Siblings accounted for 18% and 29%, respectively, and extended family members for 8% and 27%, respectively. Finally, spouses accounted for 8% of the perpetrators of physical assault and 1% of the perpetrators of sexual assault.<sup>11</sup> The majority of these were against females, for whom physical assault by spouses made up 13% of cases.

Figure 7

### Parents Most Frequently Accused in Assaults Against Children and Youth Committed by Family Members, 1998<sup>1</sup>



Figures may not add up to 100% due to rounding.

<sup>1</sup> Includes victims under the age of 18 years where sex of the victim is known.

<sup>2</sup> Sibling includes natural, step, half, foster or adopted siblings.

<sup>3</sup> Extended family includes others related by blood or marriage.

Source: Revised Uniform Crime Reporting Survey (UCR2), Canadian Centre for Justice Statistics.

## Who is committing family homicide?

From 1979 to 1998 there were 12,764 victims of homicide in Canada. Family members were responsible for nearly one-third (30%) of these, another 39% were committed by acquaintances, and 12% by strangers. Throughout the period, women and girls were most likely to be killed by a family member (55%), whereas, men and boys were most likely to be killed by acquaintances (44%) (Figure 8).

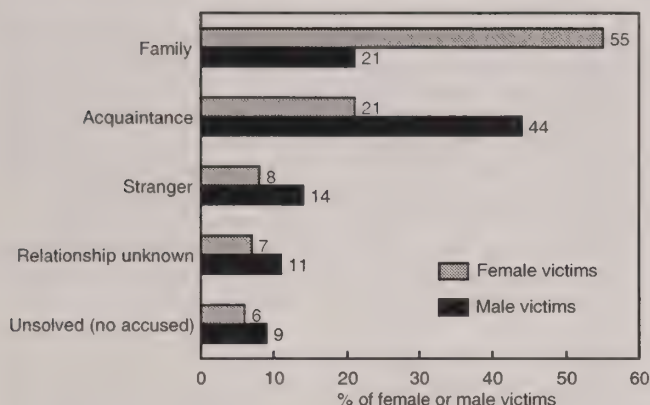
Husbands represent the vast majority of family members who kill female victims (66%). Parents accounted for the next largest proportion of suspects in family homicides involving female victims (18%). Male victims of family homicide were most likely to have been killed by parents (28%), followed by wives (including current or estranged partners) (26%). Other

<sup>10</sup> In this section, violence against children and youth includes police-reported incidents of physical and sexual assault and homicide where the victim is under 18 years of age. "Family" refers to immediate and extended family members related by blood, marriage, common-law or adoption, as well as legal guardians. If an accused is a boyfriend or girlfriend of a parent, he or she is likely to be reported as a non-family member.

<sup>11</sup> These refer to younger spouses that fall within the under 18 age category.

Figure 8

### Homicides by Type of Relationship, Canada, 1979-1998<sup>1</sup>



Figures may not add up to 100% due to rounding.

<sup>1</sup> Includes only those cases in which the sex of the victim is known.

Source: Homicide Survey, Canadian Centre for Justice Statistics.

family members, including extended family members such as grandparents, aunts, uncles, cousins, and in-laws, accounted for 20% of the perpetrators.

Between 1979 and 1998, the annual rate of spousal homicide was on average 11 wives and 3 husbands per million couples in Canada. Despite yearly fluctuations, the rate has gradually declined over this period. This was particularly the case for wives for whom the rate decreased by 47% from 15 per million couples in 1979 to 8 in 1998. For husbands, the rate dropped from a high of 5 per million couples in 1987 to 2 per million in 1998.<sup>12</sup>

## Is decreasing police-reported crime affecting court caseloads?

In 1998/99, the number of cases heard in adult criminal court declined, while the average number of charges per case and the number of appearances have increased. Adult criminal courts in 9 provinces and territories processed 394,884 cases involving 840,539 charges. The number of cases processed in 1998/99 represents a 4% decline over the previous year, and a drop of 11% since 1994/95 (Figure 9). This reflects the declining number of incidents reported to police.<sup>13</sup>

Despite the decline in the number of cases heard in court, there has been little change in recent years in the distribution of cases across different categories of crime. Crimes against the person accounted for 21% of the total number of cases in 1998/99, and crimes against property accounted for a further 26% (Table 2). Traffic-related offences accounted for 14% of all cases, while the category Other Criminal Code accounted for 28% of all cases. The remaining (11%) arose with respect to Federal statute offences, which included drug-related offences (5%), and other federal statutes (6%).<sup>14</sup>

While the number of adult court cases has declined significantly in recent years, the average number of charges per

Table 2

### Cases heard in adult criminal court, Selected provinces and territories, 1998/99

Offence Group	# Cases	%
<b>TOTAL OFFENCES</b>	<b>394,884</b>	<b>100</b>
<b>CRIMINAL CODE OFFENCES</b>	<b>350,850</b>	<b>88.8</b>
<b>Crimes against the person</b>	<b>82,097</b>	<b>20.8</b>
Homicide and related	480	0.1
Attempted murder	362	0.1
Robbery	4,691	1.2
Kidnapping	297	0.1
Sexual assault	6,140	1.6
Sexual abuse	1,360	0.3
Major assault	21,761	5.5
Abduction	147	0.0
Common assault	46,859	11.9
<b>Crimes against property</b>	<b>101,168</b>	<b>25.6</b>
Break and enter	14,268	3.6
Arson	619	0.2
Fraud	20,835	5.3
Possess stolen property	13,610	3.4
Theft	40,291	10.2
Vol	40,291	10.2
Property damage/mischief	11,545	2.9
<b>Other Criminal Code offences</b>	<b>110,940</b>	<b>28.1</b>
Weapons	7,501	1.9
Administration of justice	40,777	10.3
Public order offences	8,977	2.3
Morals-sexual	5,830	1.5
Morals-gaming	777	0.2
Residual Criminal Code	47,078	11.9
<b>Traffic-related offences</b>	<b>56,645</b>	<b>14.3</b>
Criminal Code traffic	8,488	2.1
Impaired driving	48,157	12.2
<b>FEDERAL STATUTE OFFENCES</b>	<b>44,034</b>	<b>11.2</b>
<b>Drug-related offences</b>	<b>20,166</b>	<b>5.1</b>
Trafficking	7,895	2.0
Possession	12,271	3.1
<b>Other federal statutes</b>	<b>23,868</b>	<b>6.0</b>

Note: Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

case has increased from 1.97 in 1994/95 to 2.13 in 1998/99. A majority of the cases (53%) contained a single charge, but the more complex multiple-charge cases have been increasing over the past five years, from 44% of all cases in 1994/95 to 47% in 1998/99. In 1998/99, 27% of all cases involved two charges and 20% had three or more charges.

<sup>12</sup> For further information, see "Family Violence in Canada: A Statistical Profile 1999", by Robin Fitzgerald Catalogue No. 85-224.

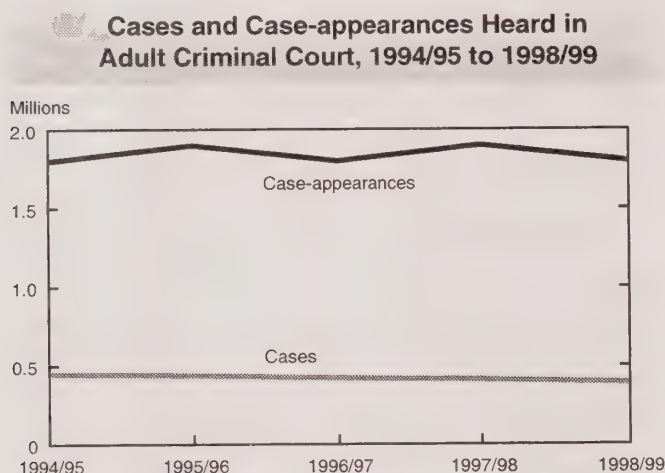
<sup>13</sup> For further information, see "Adult Criminal Court Statistics, 1998/99", by Julian Roberts and Craig Grimes, Juristat, Catalogue No. 85-002, Vol 20, No. 1.

<sup>14</sup> Such offences refer to offences against Canadian federal statutes, such as the Customs Act, the Employment Insurance Act, Firearms Act, Food and Drugs Act (FDA), the Income Tax Act, and the Narcotic Control Act (NCA). This offence category excludes Criminal Code offences.



Not surprisingly, the growing proportion of multiple charge cases is having an impact on the time required to process cases in adult criminal court. Between 1994/95 and 1998/99, the median elapsed time from first to last appearance in court has increased 15% from 73 to 84 days, and the processing time for the most complex cases (i.e., multiple-charge cases) has increased from 89 to 98 days (10%). These trends may be an indication of the demand placed on court resources by the changes in case complexity. The number of additional appearances required by multiple charge cases may be making it more difficult to schedule and complete all cases, thus increasing the processing time for single charge cases as well (Figure 9). This would explain the similar increase in the median processing time for the single charge cases from 63 to 70 days (11%).

Figure 9



Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

## How are courts responding to crime?

Many considerations are taken into account at sentencing, including: the criminal record of the offender, whether the accused pleaded guilty, the nature of information contained in a victim impact statement and other mitigating and aggravating factors relating to the offence and the offender.<sup>15</sup> In determining the relative importance of these variables, judges are guided by the fundamental principle that "a sentence must be proportionate to the gravity of the offence and the degree of responsibility of the offender".<sup>16</sup>

In 1998/99, as in previous years, a term of probation was the most frequently occurring sentence, imposed in 42% of all cases with a conviction. A fine was imposed in 40% of all cases, while a prison term was imposed in 35% of cases.<sup>17</sup> A high percentage of cases (47%) received what are classified as "other sentences". Absolute discharges, conditional discharges, suspended sentences, license suspensions, prohibitions against the ownership of firearms, and other court-ordered sanctions are included in this category of sentences.

The decline in the number of crimes reported to police, cases heard in court and convictions recorded explain the 5% decline in the number of cases sentenced to prison from 88,690 cases

in 1994/95 to 84,011 in 1998/99. There was an 11% decline in the number of convicted cases over the five-year period 1994/95 to 1998/99. This is consistent with the decline in sentenced admissions to provincial/territorial custody between 1994/95 and 1997/98.<sup>18</sup>

While it is true that only 39% of cases of convicted crimes against the person were sentenced to prison, common assault, which represents the majority (59%) of the cases in this category, has a relatively low use of incarceration (29%). The crimes against the person category has a much higher use of incarceration, with 55% of all convicted cases sentenced to prison in 1998/99 when common assault is excluded from the category. While the number of cases sentenced to prison actually decreased, the proportion of cases where prison was used as a sanction increased slightly, from 33% in 1994/95 to 35% in 1998/99.<sup>19</sup> (Table 3).

Analysis indicates that a substantial proportion of cases involving a crime against the person received probation in addition to a term of imprisonment. In 1998/99, almost three-quarters (72%) of convicted cases of crimes against the person were sentenced to a term of probation, compared to 53% of cases convicted of a crime against property.

## How many people are under correctional supervision?

The size and characteristics of correctional populations (custody and community) are affected by a number of variables, such as changes in the crime rate, sentencing patterns, and legislative reforms relating to sentencing or the parole system.

In 1998/99, an average of 150,986 adult offenders were under the supervision of the correctional system. This represents a decrease of 3% in the average adult correctional population from 1997/98. Of all those supervised, 67% were on probation, 7% on some form of conditional release, and 5% serving a conditional sentence.<sup>20</sup>

In 1998/99, provincial/territorial and federal inmates accounted for about one-fifth (21%) of the average correctional population (12% and 9% respectively). On average, there were 32,411 adult inmates (including those on remand or other temporary forms of detention, such as immigration holds) in provincial/territorial and federal facilities, a slight (1%) decrease from 1997/98.

<sup>15</sup> See C. Ruby (1999) *Sentencing*. Fifth Edition. Toronto: Butterworths.

<sup>16</sup> Criminal Code, section 718.1.

<sup>17</sup> Cases can have more than one sentence; therefore, sanctions will not add to 100%.

<sup>18</sup> See the methodology section for more details on the comparisons between the ACCS and the Adult Correctional Services (ACS) Survey.

<sup>19</sup> The trend in actual admissions to correctional facilities indicates that the proportion going into custody is decreasing. It is important to note however that many cases not involving supervision do not form part of the correction caseload, while they are integral components of court caseload (e.g., fines). Given that the rate of decrease of unsupervised dispositions is substantially higher than supervised dispositions, adult criminal court caseload can indicate an increased proportion of sentences to prison, while adult correctional caseload indicates the opposite.

<sup>20</sup> For further information, see "Adult Correctional Services in Canada", by Jennifer Thomas, *Juristat*, Catalogue 85-002, Vol. 20, No. 2.

Table 3

### Cases by type of sentence for the most serious offence in the case Selected provinces and territories in Canada, 1994/95 to 1998/99

Fiscal Year	Case convictions	Type of sentence for most serious offence					
		Prison		Probation		Fine	
		#	%	#	%	#	%
<b>1994/95 Total</b>	<b>270,874</b>	<b>88,690</b>	<b>32.7</b>	<b>98,891</b>	<b>36.5</b>	<b>127,541</b>	<b>47.1</b>
<b>Criminal Code offences</b>	<b>233,709</b>	<b>82,378</b>	<b>35.2</b>	<b>93,546</b>	<b>40.0</b>	<b>100,262</b>	<b>42.9</b>
Crimes against the person	40,194	15,710	39.1	26,707	66.4	9,862	24.5
Crimes against property	73,398	26,823	36.5	36,871	50.2	23,814	32.4
Other Criminal Code offences	59,636	24,769	41.5	18,793	31.5	21,682	36.4
Traffic-related offences	60,481	15,076	24.9	11,175	18.5	44,904	74.2
<b>Federal Statute offences</b>	<b>37,165</b>	<b>6,312</b>	<b>17.0</b>	<b>5,345</b>	<b>14.4</b>	<b>27,279</b>	<b>73.4</b>
Drug-related offences	16,733	5,092	30.4	4,541	27.1	8,752	52.3
Other federal statutes	20,432	1,220	6.0	804	3.9	18,527	90.7
<b>1995/96 Total</b>	<b>270,204</b>	<b>88,586</b>	<b>32.8</b>	<b>103,368</b>	<b>38.3</b>	<b>121,499</b>	<b>45.0</b>
<b>Criminal Code offences</b>	<b>232,102</b>	<b>81,992</b>	<b>35.3</b>	<b>96,717</b>	<b>41.7</b>	<b>94,366</b>	<b>40.7</b>
Infractions au Code criminel	232,102	81,992	35.3	96,717	41.7	94,366	40.7
Crimes against the person	42,576	16,969	39.9	28,765	67.6	9,806	23.0
Crimes against property	72,895	27,077	37.1	36,993	50.7	21,909	30.1
Other Criminal Code offences	59,358	23,902	40.3	19,878	33.5	20,538	34.6
Traffic-related offences	57,273	14,044	24.5	11,081	19.3	42,113	73.5
<b>Federal Statute offences</b>	<b>38,102</b>	<b>6,594</b>	<b>17.3</b>	<b>6,651</b>	<b>17.5</b>	<b>27,133</b>	<b>71.2</b>
Drug-related offences	18,531	5,521	29.8	5,841	31.5	9,360	50.5
Other federal statutes	19,571	1,073	5.5	810	4.1	17,773	90.8
<b>1996/97 Total</b>	<b>261,644</b>	<b>86,026</b>	<b>32.9</b>	<b>106,872</b>	<b>40.8</b>	<b>115,034</b>	<b>44.0</b>
<b>Criminal Code offences</b>	<b>225,322</b>	<b>79,844</b>	<b>35.4</b>	<b>99,805</b>	<b>44.3</b>	<b>89,338</b>	<b>39.6</b>
Crimes against the person	41,383	16,309	39.4	29,522	71.3	8,553	20.7
Crimes against property	71,870	26,599	37.0	38,174	53.1	20,162	28.1
Other Criminal Code offences	57,792	24,287	42.0	20,972	36.3	19,000	32.9
Traffic-related offences	54,277	12,649	23.3	11,137	20.5	41,623	76.7
<b>Federal Statute offences</b>	<b>36,322</b>	<b>6,182</b>	<b>17.0</b>	<b>7,067</b>	<b>19.5</b>	<b>25,696</b>	<b>70.7</b>
Drug-related offences	18,515	5,143	27.8	6,229	33.6	9,585	51.8
Other federal statutes	17,807	1,039	5.8	838	4.7	16,111	90.5
<b>1997/98 Total</b>	<b>250,073</b>	<b>82,668</b>	<b>33.1</b>	<b>106,438</b>	<b>42.6</b>	<b>103,498</b>	<b>41.4</b>
<b>Criminal Code offences</b>	<b>218,583</b>	<b>76,877</b>	<b>35.2</b>	<b>99,295</b>	<b>45.4</b>	<b>82,550</b>	<b>37.8</b>
Crimes against the person	42,105	15,847	37.6	30,506	72.5	7,629	18.1
Crimes against property	65,643	24,670	37.6	35,978	54.8	16,688	25.4
Other Criminal Code offences	59,204	24,898	42.1	22,443	37.9	18,323	30.9
Traffic-related offences	51,631	11,462	22.2	10,368	20.1	39,910	77.3
<b>Federal Statute offences</b>	<b>31,490</b>	<b>5,791</b>	<b>18.4</b>	<b>7,143</b>	<b>22.7</b>	<b>20,948</b>	<b>66.5</b>
Drug-related offences	11,490	3,159	27.5	4,210	36.6	5,718	49.8
Other federal statutes	20,000	2,632	13.2	2,933	14.7	15,230	76.2
<b>1998/99 Total</b>	<b>240,653</b>	<b>84,011</b>	<b>34.9</b>	<b>100,897</b>	<b>41.9</b>	<b>95,989</b>	<b>39.9</b>
<b>Criminal Code offences</b>	<b>209,923</b>	<b>77,918</b>	<b>37.1</b>	<b>93,783</b>	<b>44.7</b>	<b>75,825</b>	<b>36.1</b>
Crimes against the person	42,654	16,787	39.4	30,786	72.2	7,190	16.9
Crimes against property	63,580	26,098	41.0	33,571	52.8	15,370	24.2
Other Criminal Code offences	60,453	26,381	43.6	22,209	36.7	18,865	31.2
Traffic-related offences	43,236	8,652	20.0	7,217	16.7	34,400	79.6
<b>Federal Statute offences</b>	<b>30,730</b>	<b>6,093</b>	<b>19.8</b>	<b>7,114</b>	<b>23.2</b>	<b>20,164</b>	<b>65.6</b>
Drug-related offences	12,004	3,455	28.8	3,411	28.4	6,004	50.0
Other federal statutes	18,726	2,638	14.1	3,703	19.8	14,160	75.6

Notes: The sentence types presented are not mutually exclusive and will not total 100%.

Data from the Adult Criminal Court Survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996-97.

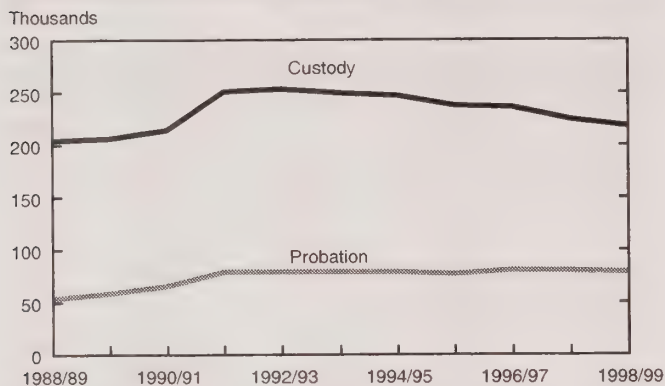
Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics.



Similar to trends in the crime rate, admissions to federal and provincial/territorial custody have steadily decreased (Figure 10). In 1998/99, there were 218,242 admissions to federal and provincial/territorial adult correctional facilities. This number is 3% less than 1997/98 levels and represents the sixth consecutive year of decreased admissions. The majority of this decrease occurred in provincial/territorial facilities where 210,591 total admissions represented a decline of 3% from 1997/98. On the other hand, the 7,418 federal admissions represent an increase of 3% from 1997/98, after having decreased steadily for four years.

Figure 10

## Adult Admissions to Custody and Probation, 1988/89 to 1997/98



Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics.

The type of federal and provincial/territorial admissions also differs. Almost 61% of inmates admitted to federal custody are serving court-ordered sentences; however, at the provincial/territorial level 44% of inmates have been admitted to sentenced custody. This difference occurs because, at the provincial/territorial level, one in two inmates have been remanded to custody. This means that these individuals are awaiting trial, sentencing, or are being held for other reasons after which they may commence provincial/territorial sentenced custody, federal custody if the sentence is longer than two years, or community-based dispositions such as probation. There were 104,975 remand admissions in 1998/99, consistent with 1997/98. Nonetheless, admissions to both federal and provincial/territorial sentenced custody have followed the overall patterns (i.e. declining 4% provincially and increasing 6% federally from 1997/98 levels).

There are other individuals held in custody, some of whom may not have been accused of committing an offence. Individuals detained on "other/temporary detention" status include persons held for immigration purposes, offenders held on exchange of service agreement or those in transit. In 1998/99, there were 12,571 admissions to provincial/territorial custody for such reasons, a decrease of 2% over 1997/98.

## Who is in custody?

Women represent a small proportion of those admitted to provincial/territorial custody and federal prison (9% and 4%

respectively). In 1998/99, males represented 91% of all offenders admitted to provincial and territorial custody, a percentage that has not changed since 1992/93. Males represented a similar proportion (96%) of offenders sent to federal prisons in 1998/99.

The prison population is getting older in provincial and territorial institutions, but getting younger in federal prisons. For provincial and territorial inmates, the median age ranged from a low of 29 years in Saskatchewan to a high of 34 years in Quebec. On the other hand, the median age of offenders in federal prisons was 31 in 1998/99, the same as the previous year.

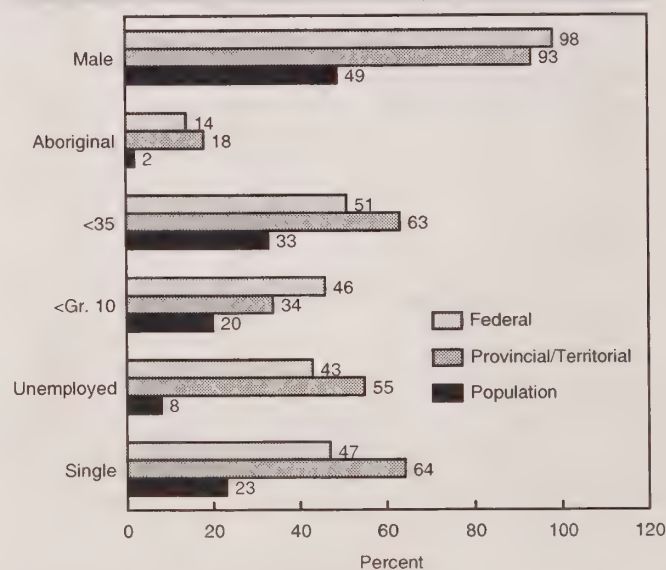
The median time that federal inmates served in penitentiaries during 1998/99 was 37 months, the same as the previous year. Those serving life sentences represented 4% of the population in federal prisons in 1998/99, almost unchanged from the year before.

The Canadian Centre for Justice Statistics conducted a One-Day Snapshot of inmates in adult correctional facilities in Canada on October 5<sup>th</sup>, 1996. Based on these data, in-depth information on the characteristics of inmates on-register in correctional facilities can be examined.

In addition to the characteristics previously mentioned, analysis of the One-Day Snapshot reveals the inmate population to be: disproportionately Aboriginal (17% as compared to 3% of the general population); experiencing much higher unemployment at the time of admission; and more likely to be single. It was also found that 83% of inmates had at least one previous conviction as adults. Specifically, 72% had a prior term of provincial/territorial incarceration, and 49% had a previous probation term.

Figure 11

## Characteristics of Inmate Population, 1996



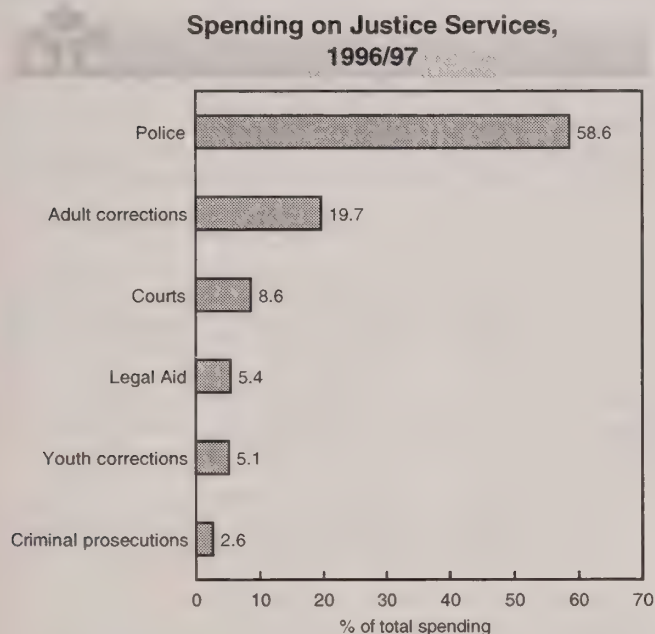
Source: One-Day Snapshot of Inmates in Adult Correctional Facilities, 1996, Canadian Centre for Justice Statistics.

## What do justice services cost?

Each year, governments must decide how to allocate funding to various competing priorities. Should more money be spent on health, education, or the environment? Another area where governments must decide is on what should be spent in the justice system, including policing, courts and the correctional system.<sup>21</sup>

By far the largest portion of justice dollars were spent on policing, which accounted for 59% of total spending (see Figure 12). The next most costly area was adult corrections (20%), followed by courts (9%). When spending figures are adjusted for inflation and changes in the population, spending on justice services appears to be decreasing; per capita spending (1996/97) was down approximately 2% from the year before.<sup>22</sup>

Figure 12



**Sources:** Justice Canada, *Young Offenders Cost-Sharing Agreements and Statistics Canada, Canadian Centre for Justice Statistics, Police Administration Annual Survey; Courts Resources, Expenditures and Personnel Survey; Criminal Prosecutions Resources, Expenditures and Personnel Survey; Legal Aid Survey; and Adult Correctional Services Survey.*

In 1998/99, overall operating expenditures for federal and provincial/territorial adult corrections reached \$2.26 billion compared with \$2.08 billion in 1997/98, an increase of 9%. However, after adjusting to control for inflation, total operating expenditures were \$2.08 billion in 1992/93 dollars, an 8% increase over 1997/98.

Despite the overall decline in justice spending, federal operating expenditures on corrections (including parole) reached \$1.14 billion in 1998/99, up 11% from 1997/98 while provincial/territorial levels reached \$1.11 billion, a 6% increase over 1997/98.

Correctional services continue to account for a large portion of justice spending. In 1998/99, the average daily cost of housing an inmate at the federal level was \$171, up 10% from 1997/98, however, the average daily cost of housing inmates at the provincial/territorial levels actually declined marginally (0.5%) to \$123. It is important to note that the average daily inmate cost varies substantially across the country. In 1998/99, it ranged from a low of \$81 per inmate per day in Alberta, to a high of \$230 in Yukon.

## Data Sources

### Adult Correctional Services (ACS) Survey

The Adult Correctional Services Survey is designed to collect information on adult offenders 18 years of age and over. Data pertain to both the provincial/territorial and federal corrections sectors. Information is collected on caseload (e.g., average daily counts and total number of admissions to custody and community corrections) and case characteristics (e.g., age, sex and aboriginal status of the inmate, and length of custody). The survey has full national coverage.

### Adult Criminal Court Survey (ACCS)

The ACCS collects detailed information on appearances, charges, and cases heard in adult criminal courts in Canada. In 1998/99, adult provincial/territorial courts in seven provinces and two territories (Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon and the Northwest Territories) contributed data to the survey. This represented approximately 80% of the national adult criminal court caseload. Sentencing information does not include cases that are transferred to superior courts. The cases heard by superior courts tend to be the most serious. The primary unit of analysis for the survey is the case, which is defined as one or more charges laid against an individual and disposed of in court on the same day. Individuals include persons 18 years or older and youths who have been transferred to adult court. Among other things, the ACCS collects information on how the case was disposed (transferred to superior court, found guilty, stayed/withdrawn, acquitted) and the type of sentence (prison, probation, fine, restitution, other).

### Homicide Survey

This survey provides police-reported information on the characteristics of homicide victims, homicide incidents, and those accused of homicide. The survey has collected detailed information on all homicides in Canada since 1961. It was revised in 1991 and 1997 in order to improve and expand upon the information being collected.

<sup>21</sup> Where appropriate, data are expressed in constant dollars, to remove the effects of inflation, and on a per capita basis, to eliminate the effects of differences in the population across the country and over time. Data for the report come from several sources, including the Canadian Centre for Justice Statistics' resource, expenditure and personnel surveys; Statistics Canada's Financial Management System; and Justice Canada. Depending on the source, the data cover the period up to 1996/97, 1997/98, or 1998/99. The data on justice expenditures generally include operating costs, but exclude capital costs, such as building construction.

<sup>22</sup> For further information, see "Justice Spending in Canada", by Sandra Besserer and Jennifer Tufts, *Juristat*, Catalogue 85-002, Vol. 19, No. 12.



## One-Day Snapshot

On October 5, 1996, the Canadian Centre for Justice Statistics, in collaboration with federal and provincial/territorial corrections authorities, conducted a census of inmates in all adult correctional facilities in Canada. A Saturday was chosen in order to include inmates serving intermittent sentences. The data include inmate demographic and background information (e.g. marital status, education, employment, criminal history), case characteristics, such as offence and sentencing data and program needs of inmates.

## Police Administration Statistics Annual Survey

The Police Administration Statistics Annual Survey collects national statistics on personnel and expenditures from municipal, provincial and federal police forces. Personnel counts are based on permanent, full-time equivalents; part-time employees are converted to full-time equivalents (e.g. 4 employees working 10 hours per week would equal 1 full-time employee).

## Uniform Crime Reporting Survey (UCR)

The UCR is a summary, or aggregate-based survey that records the number of criminal incidents reported to the police. It does not gather information on the victims, but does collect information on the number of persons charged by sex and by an adult/youth breakdown. For all violent crimes (except robbery), a separate incident is counted for each victim. For non-violent crimes, one incident is counted for each distinct occurrence. Incidents that involve more than one infraction are counted under the most serious violation. As a result, less serious offences are undercounted. The survey has been in operation since 1962 and has full national coverage.

## Incident-based Uniform Crime Reporting (UCR2)

In 1984, the UCR survey was redeveloped to expand the information collected. This expanded survey, called the Incident-based Uniform Crime Reporting Survey (UCR2), provides detailed information on criminal incidents reported to the police. Information includes the age and sex of the accused and the victim, the relationship of the victim to the accused, and the location of the incident. The 1998 data were collected from 169 police departments in six provinces (New Brunswick, Quebec, Ontario, Saskatchewan, Alberta and British Columbia) and represented about 46% of the national volume of crime. The data are primarily from urban police departments and are not nationally representative. The exception to this urban sample is in Quebec, where all police departments (municipal and provincial) report to the UCR2.

## Youth Court Survey (YCS)

The Youth Court Survey collects information on federal statute cases heard in youth courts across Canada. Federal statutes include the Criminal Code, Food and Drugs Act, Narcotic Control Act and the Young Offenders Act. Information is collected on charges, cases and accused persons aged 12 to 17 (up to the 18<sup>th</sup> birthday) at the time of the offence. Most analysis is based on the case, which is defined as one or more charges against the same person and presented in court on the same date. Cases are classified according to the most serious charge in the case, resulting in an undercounting of

less serious offences. The kind of information collected by the YCS includes the type of decision (transfer to adult court, guilty, not guilty, stayed, dismissed, withdrawn and other) and the type of disposition (including secure custody, open custody, probation, fine, and compensation).

## The Youth Custody and Community Services (YCCS) Survey

The YCCS survey is a micro data survey which focuses on statistical information for young offenders serving a sentence within a custodial facility or in the community. The survey is organized according to five distinct record types: Youth, Charge, Disposition, Event and Review. Although micro data were still limited, aggregate data for 1997/98 were available for every province and territory except Saskatchewan.

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## Canadian Centre for Justice Statistics

For further information, please contact the Canadian Centre for Justice Statistics, 19th floor, R.H. Coats Building, Ottawa, Ontario K1A 0T6 at (613) 951-9023 or call toll-free 1 800 387-2231. To order a publication, you may telephone (613) 951-7277 or fax (613) 951-1584 or internet: [order@statcan.ca](mailto:order@statcan.ca). You may also call 1 800 267-6677 (Canada and United States) toll-free. If you order by telephone, written confirmation is not required.

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## ERRATA

Catalogue no. 85-002-XPE, Vol. 20, no. 5

### Crime Statistics in Canada, 1999

***Page 18, Table 4, Column 4 and 5***

Edmonton

Calgary

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*Please note, this correction only applies to the box heading; the data remain valid.*









# Juristat

Canadian Centre for Justice Statistics



Statistics Canada – Catalogue no. 85-002-XPE Vol. 20 no. 5

## CRIME STATISTICS IN CANADA, 1999

by Sylvain Tremblay

### Highlights

- Canada's police-reported crime rate decreased by 5% in 1999, the eighth consecutive annual drop. The 1999 rate was the lowest rate since 1979.
- The majority of provinces reported a drop in their crime rate, including the three most populated: Quebec (-8%), Ontario (-7%) and British Columbia (-5%). Only the Atlantic provinces and the Yukon reported increases.
- Newfoundland continued to show the lowest crime rate (5,921 incidents per 100,000 population) followed closely by Quebec (5,934), while Saskatchewan, despite a 3% decline in 1999, reported the highest (12,155) for the second straight year.
- For the second consecutive year, the crime rate dropped in each of the nine largest metropolitan areas in 1999. The largest decreases were seen in Ottawa (-15%) and Québec (-10%).
- Even with a 5% decline in 1999, Vancouver showed the highest crime rate among the nine largest metropolitan areas, while Québec and Toronto reported the lowest.
- Of the 2.36 million *Criminal Code* incidents, 12% were violent crimes, 55% were property crimes, and the remaining 33% were other offences such as mischief, disturbing the peace, prostitution and arson.
- The rate of violent crime declined for the seventh consecutive year, down 2%. Despite these recent declines, the violent crime rate was still 5% higher than 10 years ago and 57% higher than 20 years ago. All major categories of violent crime decreased in 1999, including homicide (-5%), sexual assault (-7%), assault (-2%), and robbery (-2%).
- There were 536 homicides in 1999, 22 fewer than in the previous year. The homicide rate has generally been falling since the mid-1970s. The 1999 rate of 1.8 homicides per 100,000 population is the lowest since 1967.
- The property crime rate dropped 6%, continuing the general decline that began in 1991. All major categories of property crime decreased in 1999, including breaking and entering (-10%) and motor vehicle theft (-4%).
- The only offences that have increased over the past few years have been disturbing the peace (+31% since 1995) and drug offences (+32% since 1993).
- The youth crime rate, as measured by the number of youths charged with a *Criminal Code* offence, dropped 7% in 1999, including a 5% decline in violent crime and an 11% decrease in property crime. The rate of youths "not charged" (eg. dealt with informally by police or referred to an alternative measures program) also dropped in 1999 for these categories.





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## Introduction

Crime includes acts that are clearly defined as “criminal” under the Canadian *Criminal Code*. Examples of “criminal” behaviour include sexual assault, breaking and entering, and impaired driving. To measure the magnitude, nature and impact of criminal behaviour, there are two sources of information: police-reported data and victimization surveys.

Every year since 1962, Canada’s police agencies have reported criminal incidents that come to their attention, or are detected themselves, to the Canadian Centre for Justice Statistics (CCJS) by means of the Uniform Crime Reporting (UCR) survey (see methodology section for survey description). In 1999, a national victimization survey was conducted, the results of which will be released later this year<sup>1</sup>. While police-reported data measures crimes known to the police, victimization surveys collect information directly from the general population related to being a crime victim, regardless of whether or not the crime was reported to police.

This report is an examination of 1999 police-reported crime in Canada. Data are presented within the context of both short and long term trends. The analysis focuses on trends in violent crime, property crime, impaired driving offences, drug offences and youth crime. Crime rates are examined at the national and provincial/territorial level, as well as for major metropolitan areas. The trend in Canada’s crime rate is put into perspective by comparing it with crime trends in some other industrialized countries. Detailed information on incidents, accused and victims is also presented when appropriate.

The CCJS gratefully acknowledges the assistance of Canada’s police agencies and the Canadian Association of Chiefs of Police (CACP) in making this report possible.

## Interpreting police-reported crime data

Data on incidents that come to the attention of the police are captured and forwarded to the CCJS according to a nationally-approved set of common crime categories and definitions. The reader should note, however, that many factors could influence official crime statistics. These include: reporting by the public to the police; reporting by police to the CCJS; the impact of new initiatives such as changes in legislation, policies or enforcement practices; and social, economic, and demographic changes.

### Reporting to police

It can be argued that official crime statistics merely reflect Canadians’ willingness to report criminal activity to police. There are many reasons why victims may not report these incidents to police: the feeling that police cannot help or that the incident is a personal matter (e.g., domestic violence or some assaults); the level of seriousness related to the incident; and, the fear of reprisals from the aggressor or of the possible negative consequences of criminal justice system intervention. However, other factors such as the willingness to see the offender caught, a feeling of social obligation to report criminal behaviour, as well as the need for a police report to receive insurance compensation may all encourage people to report certain offences to police.<sup>2</sup>

Victimization surveys aid in providing estimates for certain crimes not reported to police.<sup>3</sup> Although the non-reporting of crimes to the police can lead to an under-counting of official police crime statistics, the opposite can also be true: as the

<sup>1</sup> The victimization component of The General Social Survey is conducted by Statistics Canada every five years. A Juristat entitled “Trends in criminal victimization in 1999” is planned to be released in September 2000.

<sup>2</sup> See “Decision Making in the Criminal Justice System: Toward the Rational Exercise of Discretion” by Gottfredson and Gottfredson (1988), Law, Society, and Policy, vol. 3, New-York: Prenum.

<sup>3</sup> For more information see “Criminal Victimization : An International Perspective” by Sandra Besserer, Juristat, Catalogue No. 85-002, Vol. 18, No. 6.

tolerance of Canadians for certain crimes lowers, reporting to police will increase, driving crime statistics upward. For example, increased education in the areas of family violence, sexual assault and youth crime may have lowered society's tolerance for these behaviours which, in turn, may encourage victims and witnesses to report to police and encourage police to lay more charges.

#### Reporting by police to the CCJS

Crimes reported to the CCJS by police agencies are subjected to numerous quality-control procedures, both on-site at the police agency and at the CCJS. The CCJS and police agencies work together on an on-going basis to detect and resolve any difficulties in the reporting or transmission of data.

Concerns have been raised that tighter budgets during the 1990's have diminished the ability of some police agencies to respond to, and document, all incidents reported to them. This situation might have resulted in less complete reporting of offences to the UCR survey, and therefore contributed in part to the recent decreases in crime. However, the fact that serious crimes (those crimes which are more likely to be recorded by police) have been declining as much as less serious crimes, suggests that any change that may have occurred in reporting by police is not significant.

Moreover, a comparison of trends among police agencies across all provinces/territories shows that virtually all agencies have been experiencing decreases in reported crime in recent years.

#### Changes in legislation, policies and practices

Changes in legislation, policies and police enforcement practices may also have an impact on police-reported statistics. For instance, where an amendment to the *Criminal Code* creates a new offence or broadens the definition of an existing one, the number of incidents reported to police will likely increase. Similarly, the creation of new criminal offences (e.g., criminal harassment, failure to stop during a police pursuit, offences related to organized crime) exerts an influence on the overall level and characteristics of crime.

For certain crimes, the rise and fall of statistics is largely driven by police enforcement. Crimes such as prostitution, drug offences and impaired driving are most often identified through police-enforcement activities, or "proactive" policing, and are rarely reported by the public. Therefore, police enforcement efforts, such as special operations to target these types of crime, will affect official crime statistics.

Other theories have been advanced to explain the recent declines in the crime rate: the advent of community policing; increased enforcement and new strategies to reduce the incidence of certain crimes; improvements in case management and new approaches to solving crimes; and, finally, crime prevention. Although all these factors can certainly have an effect on crime, the magnitude of their impact is difficult to determine.

#### **Key terminology and definitions**

##### **Offence or crime**

These two terms refer to the number of *Criminal Code* "actual" incidents reported by police to CCJS, excluding traffic crime and other federal statutes such as drug offences, unless noted otherwise. "Actual" incidents are those which have been substantiated through police investigation.

##### **Criminal Incident**

One incident can include more than one offence. **For incidents involving multiple offences, only the most serious offence in the incident is counted.** Unless otherwise stated, violent crime counts reflect the number of victims in the incident, whereas non-violent crime counts reflect the number of incidents or occurrences of crime.

##### **Crime rate**

Crime rates are based on 100,000 population (see Table 9 for population estimates used in the calculation of rates).

##### **Accused Persons**

This includes all persons identified by police as having committed a crime as a result of an investigation, whether or not they have been formally charged.

##### **Persons charged**

This term refers to persons who have been formally charged or recommended to be charged by police.

For more information on the UCR Survey, refer to the Methodology section at the end.

## **1999 Crime Trends**

Of the 2.36 million *Criminal Code* incidents (excluding traffic and drug incidents) reported in 1999, 12% were violent crimes, 55% were property crimes, and 33% were other *Criminal Code* crimes (e.g. mischief, prostitution, arson, bail violations, disturbing the peace). This distribution of police-reported crime is dynamic: the proportion of crimes that are property-related has fallen continuously since 1971, when they accounted for 69% of all crimes.

In addition, there were approximately 137,000 *Criminal Code* traffic incidents (6 out of 10 were impaired driving offences), 80,000 drug incidents and 39,000 other federal statute incidents (e.g. *Excise Act*, *Immigration Act*, *Canada Shipping Act*) reported. In total, police reported 2.6 million federal statute incidents in 1999.

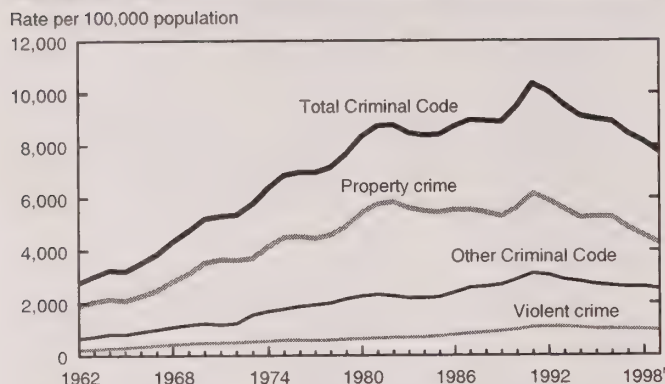
### **Lowest crime rate since 1979**

After peaking in the early 1990s, Canada's crime rate has been falling steadily. In 1999, the police-reported crime rate (7,733 incidents per 100,000 population) dropped for the eighth consecutive year (-5%), an unprecedented stretch since the UCR survey began in 1962 (Table 1). Over these eight years, the crime rate has decreased by an average of 4% per year, resulting in the 1999 rate being the lowest since 1979 (Figure 1). While the 1999 rate is equivalent to the rate 20 years ago, it is still 63% higher than 30 years ago. The only offences that have been increasing over the past few years are disturbing the peace (up 31% since 1995) and drug offences (up 32% since 1999) (Table 2).



Figure 1

### Crime rates, by type of offence, Canada, 1962-1999



Source: Uniform Crime Reporting Survey, CCJS.

### Only increases reported in the Atlantic provinces and the Yukon

There is considerable regional variation in crime rates across Canada (Table 3). During the 1990's, crime rates in the eastern part of Canada (Atlantic provinces, Quebec and Ontario) have generally been lower than those in the western provinces. Nova Scotia and Alberta are the exceptions to this general trend. Nova Scotia's crime rate is higher than its neighbouring provinces, while Alberta's is lower. Both these provinces now have crime rates similar to the national rate.

In 1999, provincial crime rates ranged from a low of 5,921 incidents per 100,000 population in Newfoundland<sup>4</sup> to 12,155 in Saskatchewan, where the crime rate showed its first decline (-3%) since 1994. All three territories reported crime rates higher than any of the provinces, ranging from 18,074 to 24,040.

Only the Atlantic provinces and the Yukon reported increases in their crime rate in 1999: Yukon (+10%), Prince Edward Island (+10%), Nova Scotia (+2%), Newfoundland (+2%) and New Brunswick<sup>5</sup> (+1%).<sup>6</sup> Quebec, Ontario and British Columbia, which represent three-quarters of the Canadian population, reported drops of 8%, 7%, and 5% respectively, contributing to the national decline of 5%.

### Crime also down in a majority of census metropolitan areas

For the second straight year, crime rates declined in each of the nine largest census metropolitan areas (CMAs)<sup>7</sup> in 1999 (Table 4). These nine metropolitan areas represent nearly half (46%) of all offences reported by police services in Canada. The largest drops were reported in Ottawa<sup>8</sup> (-15%) and Québec (-10%). Most of the other metropolitan areas, which had populations between 100,000 and 499,999, also reported decreases, the largest drops being reported in Chicoutimi-Jonquière (-17%) and Windsor (-16%) (Table 5).

Among all 24<sup>9</sup> CMA's, the lowest crime rates were reported in Quebec (4,790), Chicoutimi-Jonquière (5,249), and Toronto

<sup>4</sup> Royal Newfoundland Constabulary St. John's jurisdiction was unable to contribute 1999 crime statistics due to a new Police Information and Management System. As such, 1999 data have been substituted with 1998 counts.

<sup>5</sup> It should be noted that, due to the small populations in Prince Edward Island and the territories, a relatively small change in the number of incidents can result in a large percentage change in the rates.

<sup>6</sup> In 1998, Codiac Regional was unable to provide accurate crime statistics due to a change in police information systems. As such, 1998 data have been substituted with 1999 counts.

<sup>7</sup> A CMA refers to a large urban core (over 100,000 population) together with adjacent urban and rural areas that have a high degree of economic and social integration. The areas that police forces serve may differ in their mix of urban/suburban populations, making the comparability of crime rates among these forces difficult. This lack of comparability is addressed by analyzing crime rates by CMA. Usually, more than one police force is responsible for enforcing the law within the boundaries of a CMA.

<sup>8</sup> "Ottawa" in this report refers to the Ontario portion of the Ottawa-Hull CMA.

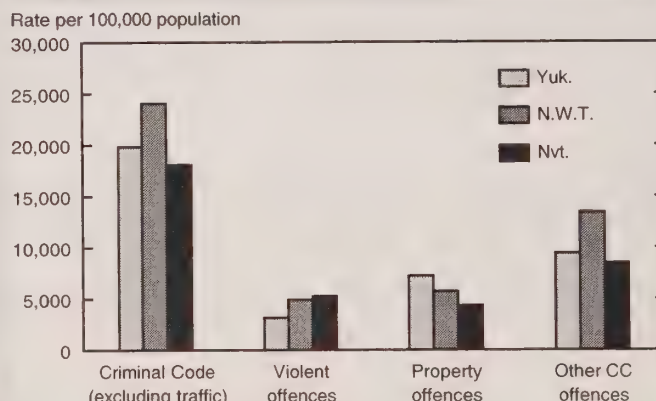
<sup>9</sup> Royal Newfoundland Constabulary St. John's jurisdiction was unable to contribute 1999 crime statistics due to a new Police Information and Management System.

### Crime rates in the Territories, by type of offence, 1999

#### Nunavut's crime rate similar to the other territories

The territory of Nunavut officially joined Canada's 10 provinces and 2 territories on April 1, 1999. The majority of its 27,000 inhabitants are Inuit, and its residents have the youngest average age (25 years) in Canada. In order to provide a full year of data, crime statistics for the first three months of 1999 from the Northwest Territories were divided according to the new territory represented by Nunavut. These data show that Nunavut's 1999 crime rate was slightly lower than the Yukon and 25% lower than the Northwest Territories.

Among the three territories, Nunavut reported the highest violent crime rate (5,241), the Yukon reported the highest property crime rate (7,221), while the Northwest Territories showed the highest rate for other Criminal Code offences (13,421). This latter observation is explained by the fact that the mischief rate in the N.W.T. is about double that of the other territories.



Source: Uniform Crime Reporting Survey, CCJS.

(5,385). At the opposite end, Regina showed the highest crime rate (15,191) for the third consecutive year, followed by Victoria (11,865), Saskatoon (11,640), and Vancouver (11,562).

### Crime is also falling in many industrialized countries

Many industrialized countries have also experienced recent declines in their crime rates over the past few years. According to the Federal Bureau of Investigation, the preliminary 1999 indexed crime rate<sup>10</sup> in the United States dropped for the eighth year in a row (-3%), including a 5% decrease in violent crime and a 2% decline in property crime. Although these drops were less than the decreases reported in 1998, all crimes included in the index decreased in 1999, including murder (-7%), robbery (-5%), burglary (-5%), and motor vehicle theft (-4%).

Elsewhere, reported crime in England and Wales has also fallen annually since 1992, including a small decrease (-1%) in 1999.<sup>11</sup> Violent crime was down 6%, while property crime was down 1%. Australia, Germany and Spain also reported drops in their crime rates since 1995.<sup>12</sup>

<sup>10</sup> The U.S. Crime Index is composed of the violent crimes of murder, non-negligent manslaughter, forcible rape, robbery and aggravated assault (not common assault), and the property crimes of burglary, larceny-theft, motor vehicle theft and arson.

<sup>11</sup> See the report entitled Recorded Crime Statistics, England and Wales, by D. Povey and J. Prime, Home Office, England, October 1999. The annual report is based on the time period from April 1998 to March 1999 and the percent changes are based on actual numbers.

<sup>12</sup> See the report entitled International Comparisons of Criminal Justice Statistics, 1998, by G. Barclay and C. Tavares, Home Office, England, February 1999. Analyses covered up to 1998 and the percent changes are based on actual numbers.

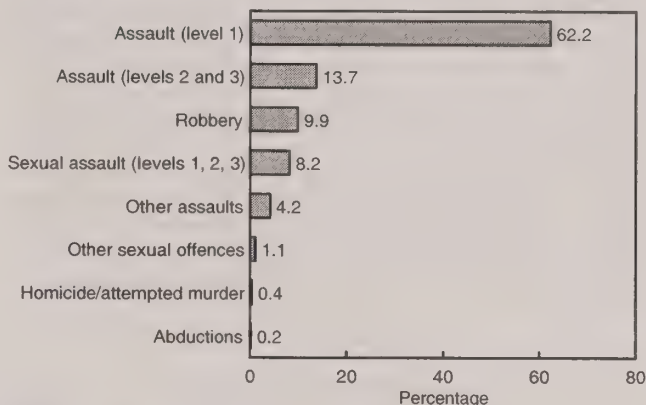
## Violent Crime

### Violent crime continues to drop

Violent criminal incidents (291,330 in 1999) include homicide, attempted murder, assault, sexual assault, other sexual offences, abduction and robbery (Figure 2). Violent crimes comprised 12% of *Criminal Code* offences in 1999.

Figure 2

#### Violent crime, by category, Canada, 1999



Source: Uniform Crime Reporting Survey, CCJS.

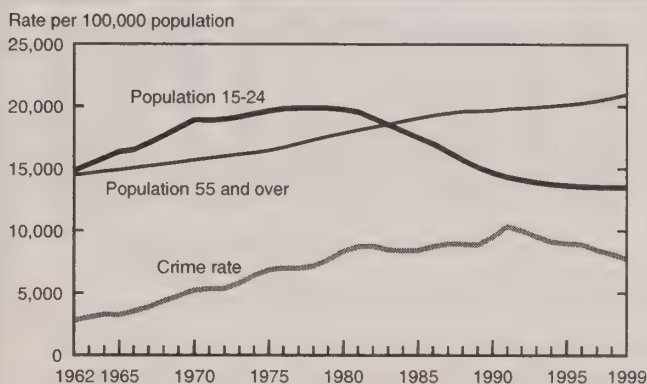
### Changing demographics and the crime rate

The decline in crime rates since the early 1990s has coincided with the decreasing proportion of persons aged 15 to 24 during this time period. This group is recognized as those who commit a large number of criminal offences as well as being victims of crime. In 1999, persons aged 15-24 years represented 15% of the total population while accounting for 43% of those charged with property crimes and 30% of persons charged with violent crimes.

The figure shows the trend in overall crime and in the number of 15 to 24 year-olds as rates per 100,000 population. Between 1962 and 1978, both lines show a constant increase: the crime rate climbed 158%, while the rate of 15 to 24 year-olds increased by 34%. However, while crime continued to increase until peaking in 1991, the rate of 15 to 24 year-olds declined. Since 1991, both measures have decreased: the crime rate by 25% and the population 15 to 24 by 6%. In summary, variations in the size of the high-risk offender age group have had some effect on the crime rate, but the amount of this influence is not clear, and other factors have also influenced the crime rate trend.

The third line on the graph represents the important growing segment of the population aged 55 and over. In 1999, this age group represented 21% of the population. Contrary to the 15-24 age group, the 55+ age group is characterized by very low involvement in crime, both as accused and as victims<sup>13</sup>, yet is most fearful of being a crime victim. This group is increasing by an average of 2.5% each year, and is projected to grow continuously from now until 2020.<sup>14</sup> The growth of this segment of the population will certainly have an influence on criminality as well as police practices over the years to come.

#### Crime rate and demographics, Canada, 1962-1999



Source: Uniform Crime Reporting Survey, CCJS and the Annual Demographic Statistics, 1999 report.

<sup>13</sup> The International Criminal Victimization Survey (1996) showed that the victimization rate for those 55 and over was 31 per 1,000 population, compared to 312 for those aged 15 to 24. The 1993 GSS showed similar findings.

<sup>14</sup> Cansim (on-line), Statistics Canada, Ottawa. Population Projections by Sex and age Group for Canada. Matrix 6900. Internet address: <http://www.statcan.ca>.



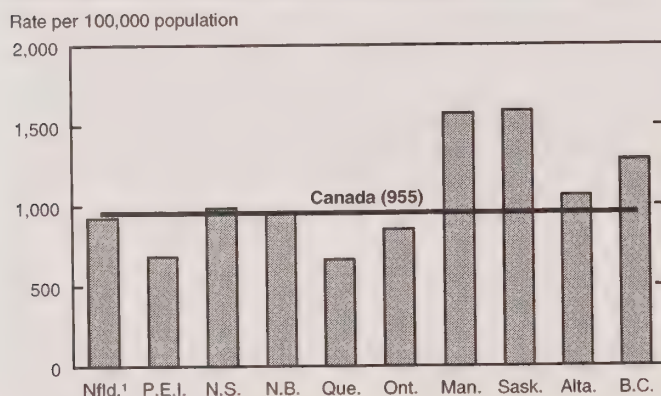
The violent crime rate declined for a seventh consecutive year in 1999 (-2%). Prior to these declines, the violent crime rate had increased for 15 straight years (Figure 1). These declines have been observed in all categories of violent crime with the exception of a small increase in robberies committed with a weapon other than a firearm (eg. knife) (+1%). Despite these recent declines, the violent crime rate is still 5% higher than a decade ago, 57% higher than 20 years ago, and more than double the rate of 30 years ago. If common assaults (the least serious form of assault which accounts for more than 6 in 10 violent crimes) were excluded, the violent crime rate would actually be 10% lower than 10 years ago.

Although the national violent crime rate decreased in 1999, there were variations among the provinces. Newfoundland (+4%), New Brunswick (+3%) and Quebec (+3%) reported the largest increases, while Nova Scotia reported a minor rise (+1%). All other provinces showed drops, with the largest being in Prince Edward Island (-6%), Ontario (-5%) and British Columbia (-5%).

Violent crime rates in the west were much higher than in the rest of the country (Figure 3). Saskatchewan (1,589) and Manitoba (1,572) reported the highest rates. Quebec (666) and Prince Edward Island (685) continued to report the lowest, a pattern consistent with previous years.

Figure 3

### Violent crime, Canada and the provinces, 1999



<sup>1</sup> Data for St-John's were not available for 1999 and have been estimated based on the 1998 data.

Source: Uniform Crime Reporting Survey, CCJS.

Twenty-one of the 24 CMAs recorded a drop in their violent crime rate in 1999: only Sudbury (+6%), Montréal (+3%), and Québec (+2%) reported increases. Regina reported the highest violent crime rate (1,709), followed by Thunder Bay (1,525) which had shown the highest violent crime rate for the past eight years (since CMA data were first available in 1991), and Saskatoon (1,332). The lowest violent crime rates were reported in Sherbrooke (396), Québec (465) and Trois-Rivières (475).

Among the nine largest CMAs, Winnipeg (1,232) and Vancouver (1,120) reported the highest rates, while Quebec (465) reported by far the lowest (Table 5).

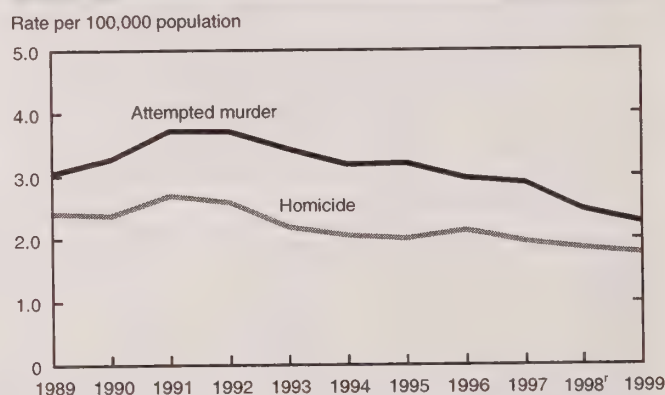
### Homicides at lowest level since 1967

Homicide includes first and second-degree murder, manslaughter, and infanticide. In 1999, there were 536 homicides and 685 attempted murders. Together these crimes account for less than a half of one percent of reported violent incidents. The homicide rate (1.8 per 100,000 population) has generally been declining since the mid-1970s. In 1999, this trend continued with a 5% drop in the rate (22 fewer homicides than in 1998), and is at the lowest point since 1967. The rate of attempted murders also fell in 1999 (-9%), the lowest since 1973. Figure 4 clearly illustrates the parallel trend over the past 10 years between homicides and attempted murders.

In 1999, the homicide rate dropped in half of the 24 CMAs. The highest rates were found in Thunder Bay (3.2 - a total of 4 homicides), Vancouver (2.8 - a total of 61) and Victoria (2.8 - a total of 9). For the second year in a row, no homicides were reported in Trois-Rivières.<sup>15</sup>

Figure 4

### Homicide and attempted murder incidents, Canada, 1989-1999



Source: Uniform Crime Reporting Survey, CCJS.

### Sexual assaults drop for the sixth year in a row

Sexual assault is classified into one of three levels according to the seriousness of the incident: level 1 sexual assault (the category of least physical injury to the victim); level 2 sexual assault (with a weapon, threats to use a weapon, or causing bodily harm); and, level 3 aggravated sexual assault (wounds, maims, disfigures or endangers life of victim). Sexual assaults accounted for less than 1 in 10 violent crimes in 1999. The vast majority (97%) of the 23,872 reported incidents of sexual assault were classified by police as level 1 (Table 2).

After reaching a peak in 1993, the rate of total sexual assaults has declined for a sixth consecutive year, including 7% drops in both 1998 and 1999. All three levels of sexual assault were down compared to the previous year: aggravated sexual assault dropped by 4%, sexual assault with a weapon declined 14%, and sexual assaults (level 1) decreased 7%.

<sup>15</sup> For further information, see «Homicide in Canada, 1999» by Orest Federowycz, Juristat, Catalogue 85-002 (to be released in October, 2000).

### The Incident-Based Uniform Crime Reporting survey (UCR2) - 1999

The UCR2 survey captures detailed information on individual criminal incidents reported to police, including characteristics of victims, accused persons and incidents. The survey presently collects data from 164 police agencies in seven provinces. These data represent 46% of the national volume of actual *Criminal Code* incidents.

The reader is cautioned that these data are not nationally representative: respondents from Quebec account for 38% of the sample and those from Ontario account for a further 35%. Outside of Quebec, these data are largely an urban sample. Please refer to the methodology section for more information. All calculations exclude records where the variable under study is reported as "unknown", unless otherwise mentioned.

#### The UCR2 Trend Database

The UCR2 Trend Database represents a sub-set of all respondents who have been providing UCR2 data for the past five years to enable the analysis of trends in the characteristics of accused, victims and, criminal incidents. The 1999 Trend Database contains 106 police services, representing 41% of the national volume of crime.

Rates of sexual assault decreased in 18 of the 24 CMAs. The highest rates of sexual assault were reported in Saskatoon (119 sexual assaults per 100,000 population) and Victoria (97). The lowest rates were in Sherbrooke (36) and Quebec (40).<sup>16</sup>

### First drop in common assaults since 1994

The most frequently reported category of violent crime is assault. The *Criminal Code* defines several categories of assault: common assault (level 1), assault with a weapon or causing bodily harm (level 2), aggravated assault (level 3), and other assaults (i.e., assault on peace officer, unlawfully causing bodily harm, discharge of firearm with intent and all other assaults).

In 1999, police recorded 221,281 incidents of assault levels 1, 2 and 3 (Table 2). After four years of stability, the rate of assaults dropped by 2% in 1999. This decrease was mainly due to an equivalent decrease in the rate of common assault (-2%), which accounts for just over 8 in 10 assaults, and 6 in 10 reported violent incidents. It is clear that common assault has a large impact on the total rate of violent crime because of its magnitude. This offence includes behaviours such as pushing, slapping, punching, and threats by an act or gesture. Aggravated assaults (level 3) fell for the eighth year in a row (-5%), and assaults with weapons (level 2) decreased by 1%.

The rate of assault (levels 1, 2, 3) dropped in 19 of the 24 CMAs. As in previous years, Regina (1,379 assaults per 100,000 population) and Thunder Bay (1,311) reported the highest rates and Sherbrooke (254) and Trois-Rivières (289) reported the lowest.

Data from the UCR2 survey show that, unlike sexual assaults, victims of assault were as likely to be male as female. Females represented the majority of victims of common assault (52%), while males represented two-thirds of victims of assault with a weapon and aggravated assault (66%). Male victims were somewhat younger than females (27 years compared to 29 years).

### Firearm robberies declining since 1991

The 28,745 robberies in 1999 accounted for about 1 in 10 violent crimes. The rate of robbery decreased for the third consecutive year in 1999, with a 2% decline. Since peaking in 1991, the total rate of robbery has generally been declining (Figure 5). Rates of robberies with firearms and those with

<sup>16</sup> For further information, see "Children as Victims of Violent Crime" by Robin Fitzgerald in Juristat, Catalogue 85-002, Vol. 17, No. 11 and "Sexual Offender", 1997-1998" by Integration and Analysis Program in Juristat, Catalogue 85-002, Vol. 19, No.3.

### Fewer firearms and injuries involved in violent crimes

In addition to robbery, the presence of firearms in violent crimes continues to diminish. In 1999, firearms were present in 30% of homicide incidents (from the Homicide Survey), 31% of attempted murders and 18% of robberies (from the UCR aggregate survey), 5% of assaults with a weapon and in 2% of aggravated sexual assaults. Data from the UCR2 Trend Database shows that the presence of these weapons has gradually declined from 5.6% in 1994 to 4.1% in 1999. The presence of knives has also been dropping from 8.0% of all violent incidents in 1996 to 6.4% in 1999. Overall, 1 in 6 violent incidents involved a common weapon (firearm, knife, blunt instrument, other piercing or cutting object) in 1999.

**Presence of Most Common Weapons in Violent Incidents\***  
Data from 106 Police Services, 1995-1999

	1995	1996	1997	1998	1999
	%				
Firearms	5.6	5.6	4.7	4.3	4.1
Knives	7.8	8.0	7.4	6.9	6.4
Club/Blunt Instrument	6.2	5.9	5.8	5.5	5.3
Other Piercing/Cutting Objects	1.5	1.5	1.4	1.4	1.3
<b>Total Most Common Weapons</b>	<b>21.1</b>	<b>21.0</b>	<b>19.3</b>	<b>18.1</b>	<b>17.1</b>

Source: Non-representative sample of 106 police services representing 41% of the total volume of crime in 1999.

\* Excludes unknown

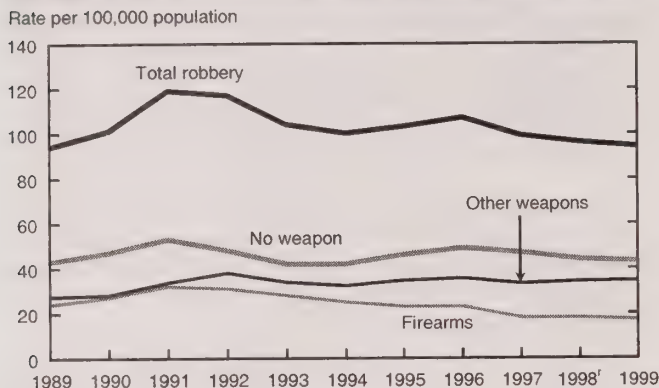
The presence of weapons, particularly firearms, in a criminal incident increases the chances of the victim suffering physical injury. The decline in the use of weapons over the past five years has resulted in a corresponding decline in the proportion of victims receiving injuries: from 52% in 1995 to 42% in 1999.<sup>17</sup>

<sup>17</sup> For further information, see "Weapons and Violent Crime", by Tracey Leestie, Juristat, Catalogue 85-002, Vol. 17, No.7.



Figure 5

### Robbery incidents, by type, Canada, 1989-1999



Source: Uniform Crime Reporting Survey, CCJS.

no weapon have been decreasing, while robberies with other weapons such as knives have been increasing.

Firearms have gradually been replaced with other types of weapons by persons committing robberies. Robberies with a firearm have generally been falling since 1991, including a 5% decrease in 1999. Over these eight years, the rate has dropped by half, from 32 in 1991 to 17 in 1999. In contrast, robberies involving weapons other than firearms (e.g., knives or blunt objects) have doubled over the past 20 years, from a rate of 16 in 1979 to 34 in 1999. This type of robbery was the only one to show an increase in 1999 (+1%). The rate of robbery involving no weapon has remained relatively stable over the last ten years, fluctuating between 40 and 50.

The rate of robbery declined in 13 of the 24 CMAs. Similar to previous years, rates of robbery showed large differences among the CMAs, with the highest being reported in Winnipeg (268) and Vancouver (217), and the lowest in Chicoutimi-Jonquières (27) and Saint John (40).

Compared to other violent crimes, robbery is more likely to involve youths. In 1999, 33% of persons charged with robbery were youths compared with only 16% of persons charged with all violent crimes (Table 6).

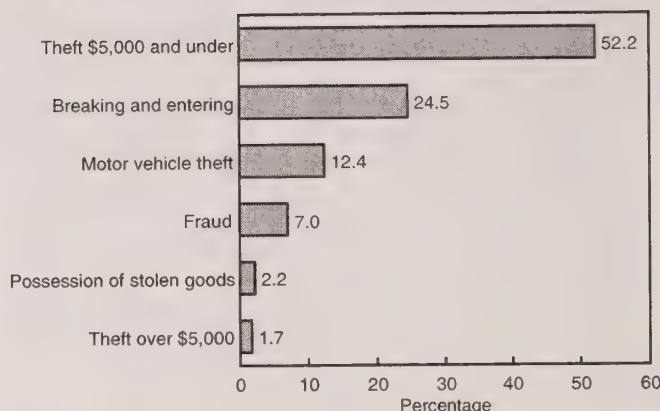
## Property Crime

### Property crime rate continues to drop

Property crime incidents involve unlawful acts with the intent of gaining property but do not involve the use or threat of violence. Theft, breaking and entering, fraud and possession of stolen goods are among the most frequent property crimes (Figure 6). In 1999, there were approximately 1.3 million property crime incidents reported by police. The rate for these crimes has generally been decreasing since 1991, including a 6% drop in 1999. All categories contributed to this decline, particularly the decreases in theft and break and enter. The 1999 rate (4,266) was the lowest recorded by police services since 1974. It was also 19% lower than 10 years ago, 13% lower than 20 years ago, but still 37% higher than 30 years ago.

Figure 6

### Property crime, by category, Canada, 1999



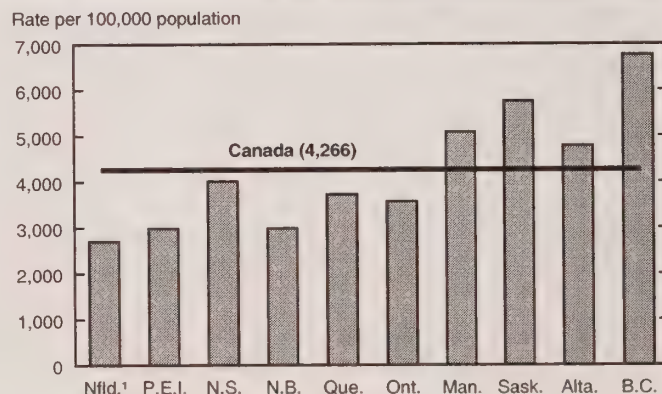
Source: Uniform Crime Reporting Survey, CCJS.

With the exception of Prince Edward Island (+9%) and Newfoundland (+2%), rates of property crime dropped in all provinces in 1999. The largest drops were reported in the three most populated provinces: Quebec (-9%), Ontario (-8%), and British Columbia (-6%) (Table 3). Despite decreases in property crimes over the last three years in British Columbia, this province continues to show the highest property crime rate (6,761 incidents per 100,000 population). Newfoundland reported the lowest rate (2,705), followed by New Brunswick (2,984) and Prince Edward Island (2,984) (Figure 7).

Twenty-one of the 24 CMAs reported a decrease in their property crime rate in 1999. Regina reported the highest property crime rate (8,536) followed by Vancouver (7,761), while Québec (3,100) and Saint John (3,133) reported the lowest.

Figure 7

### Property crime, Canada and the provinces, 1999



<sup>1</sup> Data for St-John's were not available for 1999 and have been estimated based on the 1998 data.

Source: Uniform Crime Reporting Survey, CCJS.

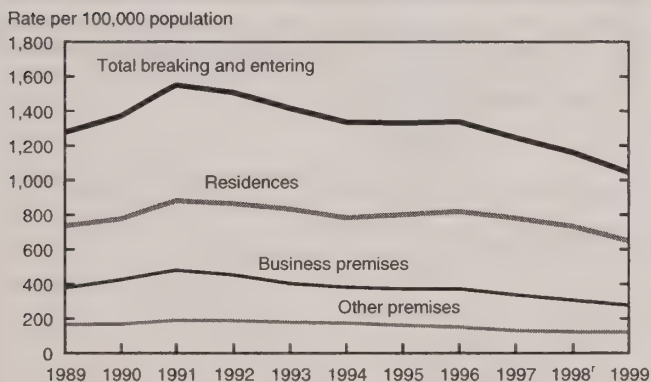
## Large drop in break-ins in 1999

Break & Enters (B&Es) have many negative consequences for victims, both financial (loss of property, insurance deductibles, absence from work, purchase of home security devices, etc.) and psychological (feeling of violation of privacy, fear of facing the offender, fear of further break-ins, loss of irreplaceable items). There are also consequences that the victim must endure after the incident: calling the police, reporting to the insurance company, evaluating and replacing stolen goods, and repairing damage to the property (eg. doors, windows). The most serious form of a B&E is a "home invasion" whereby the offender(s) purposely enters a residence, knowing the occupants are home, with the intent to rob or terrorize the occupants. This type of scenario will be examined as part of a Juristat on B&E to be released in the fall of 2000.

In total, there were 318,448 reported incidents of breaking and entering (B&E) in 1999, representing one-quarter of property crimes. The trend of B&E rates has generally been falling since 1991, including a 10% decrease in 1999 (Figure 8). Given the number of B&Es, this magnitude of a decrease has an impact on the total property crime rate as well as the overall crime rate. Almost four in ten persons charged with this offence were youths (Table 6).<sup>18</sup>

Figure 8

### Breaking and entering incidents, by type, Canada, 1989-1999



Source: Uniform Crime Reporting Survey, CCJS.

The majority of B&Es in 1999 occurred at private residences (62%). Businesses accounted for a further 26%, with the remaining 12% including other places such as sheds, storage facilities, etc. Decreases in all three categories contributed to the general decline of B&E rates: residential B&Es dropped 11% in 1999; commercial B&Es declined 10%; and, "other" B&Es decreased a slight 1%.

The 1999 rate of residential B&E decreased in all CMAs except London (+21%), Saint John (+8%) and Calgary (+7%). The highest rates of residential B&Es were reported by Regina (1,592) and Saskatoon (1,055), while the lowest rates were in Toronto (371) and Thunder Bay (448).

According to the Insurance Information Centre of Canada<sup>19</sup>, the average claim by home-owners and tenants for losses through B&E amounted to \$4,364 in 1998-1999 and the average claim for commercial businesses amounted to \$4,456. In total, property losses associated with B&Es cost the insurance industry about \$366 million in 1998-1999.

## Motor vehicle thefts decline for the third year in a row

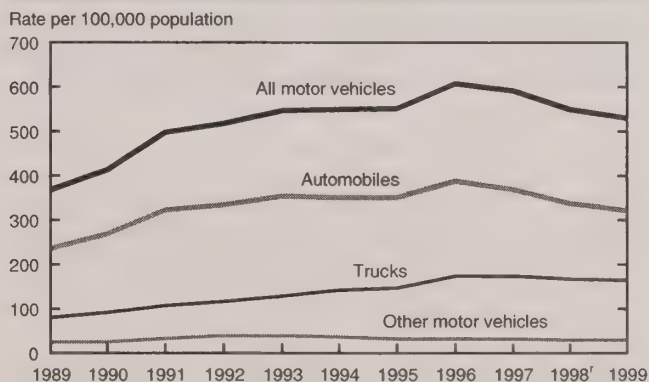
Motor vehicle theft accounted for a little more than 1 in 10 property crimes in 1999 (161,405 incidents). After steady growth for over a decade, the rate of motor vehicle theft decreased for the third consecutive year in 1999 (-4%) (Figure 9). The current rate, however, is still much higher (+44%) than ten years ago.

The most recent data available from the insurance industry shows a decrease in auto theft of 13% from 1997 to 1998<sup>20</sup>, compared to an 8% decrease as reported by police services for the same period.

In particular, there has been a large increase in the number of "trucks" stolen in recent years, which includes mini-vans and sport-utility vehicles. This is not surprising given that the number of mini-vans and sport-utility vehicles on the road increased 89% between 1994 and 1998, while the total number of vehicles on the road grew by 25% over the same period.<sup>21</sup> In 1999, the theft of trucks dropped for the second year in a row (-2%), after having increased for the previous 15 years.

Figure 9

### Motor vehicle theft, by type of vehicle, Canada, 1989-1999



Source: Uniform Crime Reporting Survey, CCJS.

<sup>18</sup> For further information, see "Breaking and Entering in Canada, 1999", by Melanie Kowalski, Juristat, Catalogue 85-002 (to be released in October, 2000).

<sup>19</sup> Members of the Insurance Information Centre of Canada represent about 80% of the total insurance industry. The data provided are based on the financial year from April 1<sup>st</sup> 1998 to March 31 1999.

<sup>20</sup> For more information, see "Facts of the General Insurance Industry in Canada", by the Insurance Council of Canada (published 2000).

<sup>21</sup> Vehicle Information Centre of Canada (special request, data from 1994 to 1998).



Currently, the most common vehicles stolen for resale are recent-vintage (less than 5 years) sport utility and luxury cars.<sup>22</sup>

Along with the decrease recorded at the national level, the rate of motor vehicle thefts declined in 12 of the 24 CMAs. Regina reported the highest rate (1,646), followed by Winnipeg (1,308) and Vancouver (1,051). The lowest rates were reported by Saint John (176) and Windsor (252).

Theft of vehicles and their components cost the Canadian consumers almost \$600 million in 1998 in insurance premiums.<sup>23</sup> Québec continues to have the highest loss cost per vehicle for vehicle theft.<sup>24</sup>

As with incidents of breaking and entering, motor vehicle theft is described as a crime associated with youth. In 1999, 40% of persons charged with motor vehicle theft were youths aged 12 to 17 years compared to only 21% of persons charged with all other *Criminal Code* offences (Table 6).<sup>25</sup>

### Thefts account for over half of all property crime

In 1999, the 701,573 incidents of theft (excluding motor vehicle thefts and B&Es) accounted for one-third of all *Criminal Code* incidents and over one-half of property crimes. This explains why any large variation in thefts will have a marked influence on the overall crime rate. The 1999 theft rate was 6% lower than the previous year and has generally been declining since 1991, similar to the overall trend in property crime.

Of all thefts reported to police, 40% were thefts from motor vehicles, 12% were shoplifting, 9% were bicycle thefts, and 39% were "other" types of theft. Decreases were reported for all these types of theft in 1999. Relative to other offences, a high proportion of persons charged with "theft \$5,000 and under" were female (30%) (Table 6), most of whom were charged with shoplifting.

### Drop in cheque frauds leading to a decrease of fraud in general

The rate of frauds declined for the eighth year in a row, with a 5% drop in 1999, primarily due to a decrease in the rate of cheque fraud. The rate of cheque fraud has been consistently decreasing since 1986 when it represented 60% of all frauds, compared to just 33% in 1999. Police statistics show that credit card frauds have grown over the last few years, including a 2% increase in 1999.

In the UCR survey, "other" frauds include telemarketing fraud, breach of trust, false representation, forgery, falsification or illegal destruction of documents, insurance fraud, as well as fraud committed through technology such as banking card and cellular phone frauds.<sup>26</sup> Although this category of "other frauds" has declined for the previous four years, it still comprised the largest category of frauds reported by police agencies (46%) in 1999.<sup>27</sup>

## Other Criminal Code Incidents

The 765,791 *Criminal Code* crimes that are not in the violent or property crime categories are reported under the category "Other *Criminal Code*". These crimes account for 3 in 10

### Telemarketing fraud

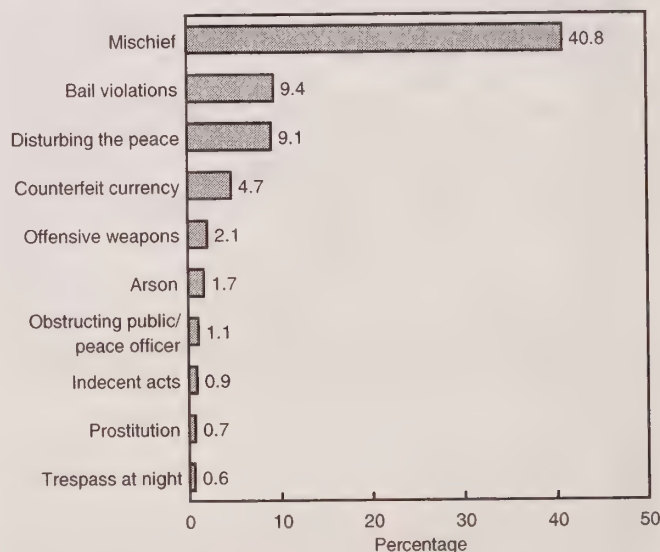
Telemarketing refers to soliciting someone by phone to obtain charitable donations or to advertise or sell products or services. The Internet has become an efficient alternative method to reach potential consumers and enterprises to sell products. Although the large majority of these transactions are legitimate, this venue of telemarketing has added a new form of fraud. Fraudulent businesses use these methods to illegally obtain money under false representation of products or by offering non-existent prices, including travel, savings bonds, financial investments, and other types of goods and services.

"PhoneBusters" is a national group co-ordinated by the Ontario Provincial Police to investigate telemarketing frauds and prevent losses by victims, which totalled a minimum of \$3.5 million in 1999. According to "PhoneBusters", the number of victims and dollars lost to fraudulent telemarketing has declined continually from 1995 to 1999. Persons aged 60 and over are the most vulnerable, comprising three-quarters of all fraudulent telemarketing victims.

*Criminal Code* incidents and include such crimes as mischief, weapons offences, prostitution, arson, counterfeiting, and disturbing the peace (Figure 10). These offences are mainly against justice administration, "quality of life" (disturbing the peace) and public or private property (mischief).

Figure 10

### Selected "other" Criminal Code offences, by category, Canada, 1999



Source: Uniform Crime Reporting Survey, CCJS.

<sup>22</sup> Ibid.

<sup>23</sup> See footnote 19.

<sup>24</sup> See footnote 19.

<sup>25</sup> For more information, see "Motor Vehicle Theft in Canada, 1996", by Julie Sauvé, *Juristat*, Vol. 18, No. 1.

<sup>26</sup> The revised Incident-based uniform crime reporting survey (UCR2.1) breaks down the type of fraud into 7 categories.

<sup>27</sup> For further information, see "The Changing Nature of Fraud", by Derek Janhevich, *Juristat*, Catalogue 85-002, Vol. 18, No. 4.

## Offensive weapons crimes increase

The new *Firearms Act*, adopted by Parliament in 1995, began its gradual introduction in 1998. To better respond to information needs of this new law, four new categories of criminal offences related to offensive weapons have been created in the UCR survey to replace the old ones: illegal use of a firearm or replica; illegal possession of a weapon; weapon importation, exportation and trafficking; and, a category for all other offences related to weapons. This latter category includes offences related to non-secure storage, documentation and administration of firearms, as well as all other *Criminal Code* firearm and other offensive weapons.<sup>28</sup>

The 16,043 offensive weapons crimes reported by police in 1999 accounted for less than 1% of *Criminal Code* incidents. The categories of "other" weapons offences and "illegal possession" of weapons accounted for the great majority (87%) of these offences, followed by illegal firearms usage (12%), and importation/exportation/trafficking offences (1%). Despite the creation of the four new statistical categories of weapons offences, the total number of offences remains comparable. In 1999, the rate of weapons offences declined 5%.

## The rate of mischief offences continues to decline

The 312,563 mischief incidents (including vandalism) reported by police accounted for 13% of total *Criminal Code* crimes and over 2 in 5 of "other" *Criminal Code* incidents (Table 2). The general decline in the rate of mischief incidents continued in 1999 with a 5% drop.

Data from the UCR2 survey show that motor vehicles were the most common targets of mischief (62%). Consistent with previous years, youths aged 12 to 17 years comprised one-third of persons charged with this offence in 1999 (Table 6).

## Criminal Code Traffic Incidents

Police reported 136,991 incidents involving *Criminal Code* traffic crimes in 1999, resulting in a rate 4% below that of 1998. Impaired driving accounted for 63% of these incidents in 1999, failure to stop and/or remain at the scene of an accident accounted for 27%, and dangerous driving and driving while prohibited comprised the remaining 10%.

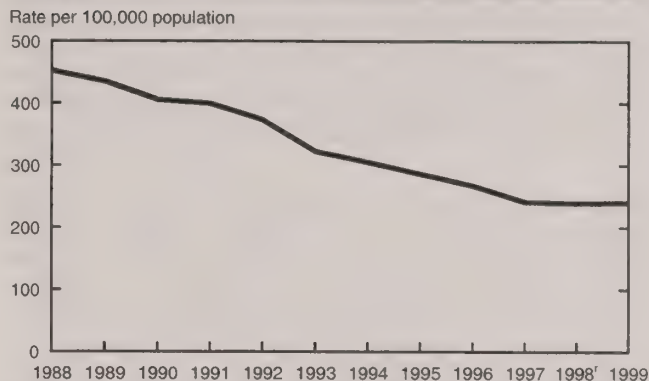
## Impaired driving stable for the second consecutive year

Impaired driving offences include impaired operation of a motor vehicle, boat or aircraft causing death or bodily harm; driving with over 80 mg. of alcohol per 100 ml. of blood; and, failing to provide a breath and/or blood sample when requested by a police officer. In 1999, police charged 73,148 persons with impaired driving, a very slight increase in the rate compared to 1998 (+0.3%).<sup>29</sup> This represented the second year of stability after years of decline (Figure 11).

While the number of road-side checks by police has an influence on the number of persons charged with impaired driving, it is not sufficient on its own to explain the general decline observed since 1983. Part of the decline could be attributed to a growing tendency by police to issue a road-

Figure 11

## Rate of persons charged with impaired driving, Canada, 1989-1999



Source: Uniform Crime Reporting Survey, CCJS.

side suspension to drivers having a blood-alcohol reading slightly above the legal limit, rather than charging.<sup>30</sup> Another factor that has, no doubt, contributed to the decline in impaired driving is the changing attitudes of drivers and public in general through numerous programs sensitizing drivers to the dangers of drinking and driving and, more severe penalties for drinking and driving from the criminal justice system.<sup>31</sup>

## Drugs

### All major drug categories increased

In 1999, a total of 79,871 incidents related to the *Controlled Drugs and Substances Act* (CDSA) were reported by Canadian police services. It should be noted that police-reported drug statistics reflect more the level of police enforcement than the actual demand on the street for illegal drugs.

Fuelled by a large increase in cannabis related offences (+16%), the rate of drug offences increased 12% in 1999 (Table 2). This latest rise in drug incidents continues the upward trend which began in 1994 (Figure 12). Cannabis offences accounted for three-quarters of all drug-related incidents reported in 1999, of which 66% were for possession, 17% for trafficking, 15% for cultivation, and 2% for importation. It should be noted that in 10% of the incidents where possession of cannabis was the most serious offence reported by police, other offences were also present in these incidents, the most common of which were possession of other illegal drugs (excluding heroin and cocaine), breach of probation, bail violation and obstructing a peace-public officer.

<sup>28</sup> Refer to the Criminal Code of Canada and the Firearms Act for exact definitions and conditions.

<sup>29</sup> Note that impaired driving numbers in Table 2 refer to the "actual" number of incidents, while the analyses in this section uses "persons charged" with impaired driving offences.

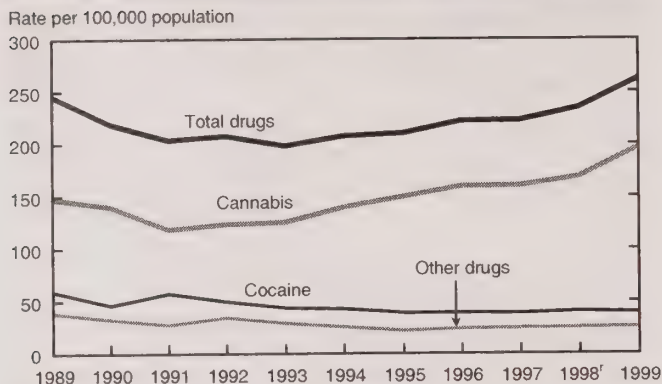
<sup>30</sup> For further information, see "Impaired Driving in Canada, 1998", by Julie Sauvé in Juristat, Catalogue 85-002, Vol.19, No.11.

<sup>31</sup> Ibid.



Figure 12

### Drug incidents, by type of drug, Canada, 1989-1999



Source: Uniform Crime Reporting Survey, CCJS.

The illegal cultivation of cannabis, particularly in cases where it is being grown without landowners' consent, has recently become an important issue in the eyes of the public. This type of offence has also seen an increase over the past decade: from a rate of 5 incidents per 100,000 population in 1989 to 29 in 1999.

The rate of cocaine offences decreased by 3% and heroin offences dropped by 1%. The rate for all other types of drugs increased (+4%) for the third consecutive year.<sup>32</sup>

The proportion of youths accused of drug offences decreases with the seriousness of the type of drug offence: 19% of persons charged with possession of cannabis were youths, compared to only 6% of persons charged with trafficking of cocaine.<sup>33</sup>

## Youth Crime

An analysis of age-specific crime rates<sup>34</sup> indicates that 14 to 19 year-olds are the highest risk group for committing both property and violent offences (Figure 13). However, this age group represents a greater proportion (33%) of property crime than violent crime (20%). This difference is also illustrated by a lower median age for persons accused of property crimes (23 years) than for those accused of violent crimes (29 years).

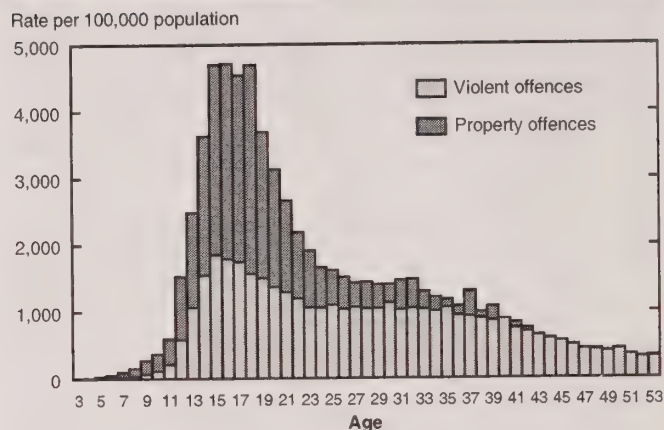
Youth crime, particularly violent crime, remains in the forefront of many Canadians. To respond to the perceived dissatisfaction by many Canadians towards the *Young Offenders Act* introduced in 1984, the federal government has proposed new legislation called the *Youth Criminal Justice Act* (YCJA). In brief, the proposed legislation proposes to increase the availability of alternative measures for young offenders who commit minor offences, and to increase the number of violent offences transferred to adult court.

### Measuring youth crime

Since the enactment of the YOA, a growing number of youth have been diverted from the formal justice system by some

Figure 13

### Age specific rates of persons accused of violent and property crime, data from of 164 police agencies, 1999



Source: Incident-based Uniform Crime Reporting (UCR2) survey, CCJS. Non-representative sample of 164 police services representing 46% of the national volume of crime.

form of diversion rather than the laying of a charge. In effect, this law prescribes certain conditions for admissibility to an alternative measures (AM) program, with the objective of avoiding court proceedings for young persons. In addition, when dealing with first-time offenders involved in minor incidents, police may choose to deal with a youth informally by giving them a warning or discussing the incident with the youth's parents.

Depending on the province, AM can be used at the pre- or post-charge stage. Consequently, the number of youths charged by police is influenced by the approach used by each police service and each province.<sup>35</sup> It is clear that the youths charged rate is not a perfect indicator of youth crime, particularly with respect to measuring relatively minor offences committed by first time offenders. An analysis of youths "not charged" will follow the analysis of youths charged.

### All categories of youth crime declined in 1999

The rate of youths aged 12 to 17 charged with criminal offences has been declining since 1992, including a 7% drop in 1999. This decline was evident in all offence categories: the rate of youths charged with property offences declined 11%, violent crime dropped 5%, and other *Criminal Code* offences dropped 3% (Table 7). In total, youths were charged with *Criminal Code* offences at a rate of 4,072 per 100,000 youths, compared to 5,168 a decade ago (a drop of 21%). Table 8 shows youth crime by province/territory.

<sup>32</sup> For further information, see "Illicit Drugs and Crime", by Sylvain Tremblay in Juristat, Catalogue 85-002, Vol. 19, No. 1.

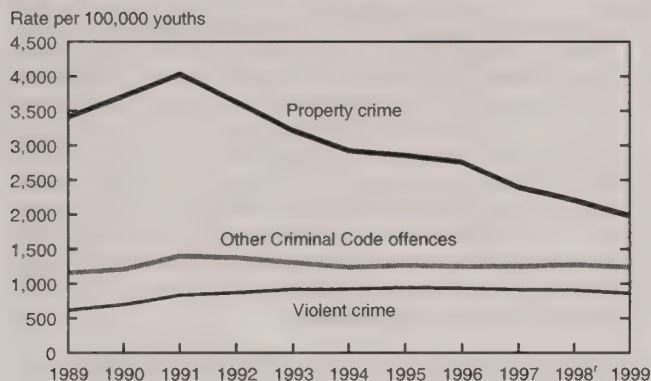
<sup>33</sup> These proportions exclude youth under 12 who can not officially be charged by the police.

<sup>34</sup> Age-specific crime rates are calculated using the age distribution of accused from UCR2 based on the age of population for all census sub-divisions pertaining to UCR2 survey respondents.

<sup>35</sup> For further information, refer to "Youth Profile in Canada, 1997", Canadian Centre for Justice Statistics, Catalogue 85-544, 1998.

Figure 14

### Rate of youths charged, by type of offence, Canada, 1989-1999



Source: Uniform Crime Reporting Survey, CCJS.

### Youth crime is generally more property-oriented than crimes committed by adults

Property crimes accounted for half (49%) of youth crime, compared to only 35% of all adults charged. A further 21% of youths were charged with violent crime, compared to 30% of adults. The remaining youths were charged with other *Criminal Code* offences, such as mischief and offences against the administration of justice (e.g.: bail violations or escapes from custody). This distribution has changed from a decade ago when 66% of youths were charged with property crimes and 12% with violent crimes. Increases in youths charged with common assault (level 1) and decreases in charges for theft and breaking & entering account for much of this shift.

### Rate of youths charged with violent crime declining

In 1999, the rate of youths charged with violent crime declined sharply (-5%), by far the largest year-over-year decline since

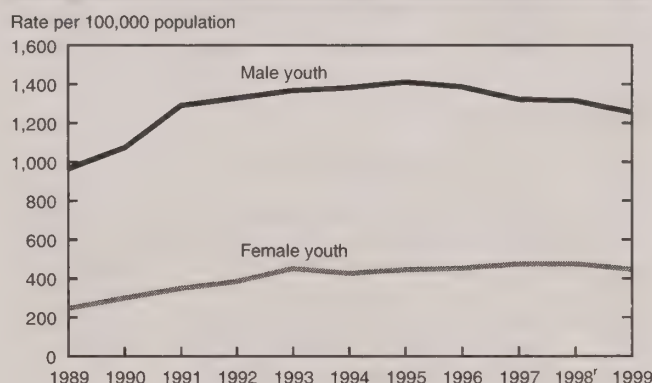
the introduction of the YOA. Despite drops for four straight years, the youth violent crime rate is still much higher than 10 years ago (+40%) (Figure 14).

All categories of youth violent crime decreased in 1999: homicide (-20%), robbery (-11%), assault (-4%), and sexual assault (-1%). A total of 45 youths aged 12 to 17 years stood charged with homicide, 9 fewer than in 1998. Between 1989 and 1999, the number of youths charged with homicide ranged from 36 in 1993 to a high of 68 in 1995, an average of 51 youths per year.<sup>36</sup>

In recent years, concern has been raised about increasing violence among females, particularly young females. Over the last decade, the increase in the rate of female youths charged with violent crimes (+81%) was three times more than for male youths (+30%) (Figure 15). In 1999, however, violent crime dropped for both male youths (-5%) and for female youths (-6%). The rate of female youths charged with violent crime (445 per 100,000 population) is still one-third that of male youth (1,254).

Figure 15

### Youth violent charge rates, by gender, Canada, 1989-1999



Source: Uniform Crime Reporting Survey, CCJS.

Rate of youths charged with property crimes continues to fall. The rate of youths charged with property crimes dropped for the eighth straight year in 1999 (-11%). The rate of youths charged dropped for all property offences including breaking and entering (-16%), motor vehicle theft (-11%) and other theft (-10%).

### The rate of youths "not charged" also declining

As mentioned previously, using youths "charged" is not a perfect indicator of youth crime. It is important to look at youth involvement in crime, other than simply those charged by police. It is possible that the decline in the number of youths charged over the past few years could be explained by a corresponding increase in the number of youth dealt with by other means such as alternative measures or warnings.

#### Crime Distribution for Youths and Adults Accused by Police Services, Selected Offences, Canada, 1999

	Youths Accused	Adults Accused
	%	
<b>Total violent</b>	<b>21</b>	<b>30</b>
Assaults (level 1, 2 & 3)	15	23
Robbery	3	2
<b>Total property</b>	<b>49</b>	<b>35</b>
Theft \$5,000 and under & theft over \$5,000	22	16
Breaking and entering	14	6
Theft motor vehicle	6	2
<b>Total other Criminal Code</b>	<b>30</b>	<b>35</b>
Mischief	7	4
<b>TOTAL CRIMINAL CODE*</b>	<b>100</b>	<b>100</b>

\* Totals may not add up to 100% due to rounding.

Source: Uniform Crime Reporting Survey, CCJS

<sup>36</sup> For further information, see "Youth Violent Crime in Canada" by Josée Savoie in Juristat, Catalogue 85-002, Vol. 19, No. 13.



According to UCR2 scoring rules, police are required to categorize why a case was cleared without laying formal charges: police discretion (includes warnings and cautions) (41% of all those "not charged"); referral to alternative measures programs (23%); complainant refuses to press charges (23%); reasons beyond the control of the police department (eg. policies) (7%); and, accused has other criminal charges (6%).

Although the UCR survey distinguishes between youths charged and "not charged" by the police, the reader should be cautioned that the data on youths "not charged" is under-reported. Given that less serious offences tend to be committed by youths, these offences are most susceptible to not being formally documented and declared by the police. As well, certain police services do not collect any information on youths "not charged".

Data provided by police show that the rate of youths "not charged" also dropped in 1999 (-7%). Similar to the case for youths charged, all major categories of youths "not charged" decreased: violent crime (-4%), property crime (-11%), and other *Criminal Code* offences (-3%). In total, the rate of youths "not charged" was more than 2,400 per 100,000 youths, corresponding to a ratio of 2 youths "not charged" for every 3 youths charged. These figures appear to substantiate the drops in youth crime as measured by the number of youths charged by police.

## Methodology

### The Uniform Crime Reporting Survey

The Uniform Crime Reporting (UCR) Survey was developed by Statistics Canada with the co-operation and assistance of the Canadian Association of Chiefs of Police. The aggregate UCR survey, which became operational in 1962, collects crime and traffic statistics reported by all police agencies in Canada. UCR survey data reflect reported crime that has been substantiated through police investigation.

Currently, there are two levels of detail collected by the UCR survey:

#### 1. Aggregate UCR Survey

The aggregate-based UCR survey records the number of incidents reported to the police. It includes the number of reported offences, actual offences, offences cleared by charge or cleared otherwise, persons charged (by sex and by an adult/youth breakdown) and those not charged. It does not include victim characteristics. Unless otherwise mentioned, all analysis in this report is based on aggregate survey counts.

The aggregate UCR survey classifies incidents according to the most serious offence in the incident, (generally the offence that carries the longest maximum sentence under the *Criminal*

*Code* of Canada). In categorizing incidents, violent offences always take precedence over non-violent offences. As a result, less serious offences are under-represented by the UCR survey.

The aggregate UCR survey scores violent incidents (except robbery) differently from other types of crime. For violent crime, a separate incident is recorded for each victim (i.e. if one person assaults three people, then three incidents are recorded; but if three people assault one person, only one incident is recorded). Robbery, however, is counted as if it were a non-violent crime in order to avoid inflating the number of victims (e.g. for a bank robbery, counting everyone present in the bank would result in an over-counting of robbery incidents). For non-violent crimes, one incident (categorized according to the *most serious offence*) is counted for every distinct or separate occurrence.

#### 2. Incident-based Uniform Crime Reporting (UCR2)

The incident-based uniform crime reporting survey captures detailed information on individual criminal incidents reported to police, including characteristics of victims, accused persons and incidents. In 1999, detailed data were collected from 164 services in 7 provinces through the UCR2 survey. These data represent 46% of the national volume of reported actual *Criminal Code* crimes. The incidents contained in the 1999 database were distributed as follows: 38% from Quebec, 35% from Ontario, 12% from Alberta, 7% from British Columbia, 6% from Saskatchewan, 1% from New Brunswick, and 1% from Newfoundland. Other than Quebec, the data are primarily from urban police departments. The reader is cautioned that these data are not geographically representative at the national level. Continuity with the UCR aggregate survey data is maintained by a conversion of the incident-based data to aggregate counts at year-end.

The UCR2 Trend Database contains historical data which permits the analysis of trends in the characteristics of the incidents, accused and victims, such as weapon use and victim/accused relationships. This file includes 106 police services who have reported to the UCR2 survey constantly since 1995. These respondents accounted for 41% of the national volume of crime in 1999. This list of respondents will remain virtually unchanged until such time as large police services such as the RCMP and OPP have been providing at least 5 years of data to the UCR2 survey, at which point they will become part of this trend database.

In this report, the crime rate excludes Criminal Code traffic violations as these data have proven to be volatile over time, as a result of changes in police procedures that allow for some traffic violations to be scored under either a provincial statute or the *Criminal Code* (e.g. failure to stop or remain at an accident). Other federal statutes such as drug offences are also excluded.

Table 1

Rates of Criminal Code Incidents, Canada, 1962 - 1999<sup>1</sup>

	Total Criminal Code <sup>2</sup>		Violent crime		Property crime		Other Criminal Code	
	Rate	% Change*	Rate	% Change*	Rate	% Change*	Rate	% Change*
	%		%		%		%	
1999	7,733	-5.0	955	-2.4	4,266	-6.4	2,512	-3.5
1998 <sup>1</sup>	8,137	-3.7	979	-1.1	4,556	-6.4	2,602	0.3
1997	8,453	-5.2	990	-1.0	4,867	-7.5	2,596	-2.1
1996	8,914	-0.9	1,000	-0.7	5,264	-0.4	2,650	-1.9
1995	8,993	-1.3	1,007	-3.7	5,283	0.6	2,702	-4.1
1994	9,114	-4.4	1,046	-3.2	5,250	-5.8	2,817	-2.2
1993	9,531	-5.0	1,081	-0.3	5,571	-5.6	2,879	-5.6
1992	10,036	-3.0	1,084	2.3	5,902	-4.2	3,051	-2.3
1991	10,342	9.0	1,059	8.9	6,160	9.8	3,122	7.7
1990	9,484	6.7	973	6.8	5,611	6.1	2,900	7.8
1989	8,891	-0.3	911	5.0	5,289	-2.8	2,691	3.0
1988	8,919	-0.4	868	4.6	5,438	-2.1	2,612	1.5
1987	8,956	2.6	829	5.6	5,552	0.0	2,575	7.6
1986	8,727	3.7	785	6.9	5,550	1.8	2,392	7.4
1985	8,413	0.3	735	4.8	5,451	-0.9	2,227	1.9
1984	8,387	-1.0	701	3.1	5,501	-1.9	2,185	0.1
1983	8,470	-3.5	679	1.2	5,608	-4.0	2,182	-3.5
1982	8,773	0.4	671	2.7	5,840	1.4	2,262	-2.6
1981	8,736	4.7	654	2.8	5,759	5.8	2,322	2.6
1980	8,343	8.8	636	4.3	5,444	11.0	2,263	5.1
1979	7,666	7.2	610	5.1	4,903	7.1	2,153	7.9
1978	7,154	2.6	580	1.4	4,579	2.5	1,995	3.2
1977	6,971	-0.2	572	-2.0	4,466	-1.5	1,933	3.5
1976	6,984	1.9	584	-0.2	4,533	0.8	1,867	5.6
1975	6,852	7.3	585	5.9	4,498	8.4	1,769	5.1
1974	6,387	10.6	553	5.6	4,151	12.1	1,684	8.9
1973	5,773	7.8	524	5.3	3,704	1.9	1,546	26.3
1972	5,355	0.8	497	1.0	3,634	-0.4	1,224	4.6
1971	5,311	1.9	492	2.4	3,649	3.8	1,170	-3.9
1970	5,212	10.0	481	6.2	3,515	12.6	1,217	4.6
1969	4,737	9.3	453	7.1	3,120	10.4	1,164	7.1
1968	4,336	12.6	423	11.0	2,826	13.8	1,087	10.3
1967	3,850	9.6	381	9.9	2,484	10.0	985	8.7
1966	3,511	9.8	347	15.9	2,258	8.0	907	12.0
1965	3,199	-1.4	299	5.4	2,091	-2.6	809	-0.7
1964	3,245	7.4	284	13.8	2,146	4.9	815	12.3
1963	3,022	9.0	249	13.0	2,047	8.2	726	10.1
1962	2,771	...	221	...	1,891	...	659	...

<sup>1</sup> Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics, 1999 report, produced by Statistics Canada, Demography Division. Populations as of June 1st: intercensal estimates from 1962 to 1970, without adjustment for net census undercoverage. Populations as of July 1st: revised intercensal estimates from 1971 to 1990, final intercensal estimates from 1991 to 1995, final postcensal estimates for 1996, updated postcensal estimates from 1997 to 1999.

<sup>2</sup> Excluding traffic offences.

\* In comparison to the previous year rate. Percent change based on unrounded rates.

... Figures not applicable

<sup>1</sup> Revised figures

Source: Uniform Crime Reporting Survey, CCJS.



Table 2

Federal Statute Incidents Reported to Police, by Most Serious Offence, Canada, 1995-1999<sup>1</sup>

	1995		1996		1997		1998 <sup>2</sup>		1999		% change in rate <sup>*</sup> 1998-1999
	Number	Rate	Number	Rate	Number	Rate	Number	Rate	Number	Rate	
<b>Population</b>	<b>29,353,854</b>		<b>29,671,892</b>		<b>29,987,214</b>		<b>30,246,891</b>		<b>30,491,294</b>		
Homicide	588	2.0	635	2.1	586	2.0	558	1.8	536	1.8	-4.7
Attempted murder	939	3.2	878	3.0	865	2.9	745	2.5	685	2.2	-8.8
<b>Assaults - Total (levels 1, 2, 3)</b>	<b>217,618</b>	<b>741</b>	<b>219,919</b>	<b>741</b>	<b>222,397</b>	<b>742</b>	<b>223,926</b>	<b>740</b>	<b>221,281</b>	<b>726</b>	<b>-2.0</b>
Level 1	178,934	610	181,545	612	183,087	611	183,999	608	181,326	595	-2.2
Level 2-Weapon	35,921	122	35,626	120	36,665	122	37,302	123	37,432	123	-0.5
Level 3-Aggravated	2,763	9.4	2,748	9.3	2,645	8.8	2,625	8.7	2,523	8.3	-4.7
Other assaults	13,462	46	12,171	41	11,807	39	12,147	40	12,184	40	-0.5
<b>Sexual assaults - Total (levels 1, 2, 3)</b>	<b>28,234</b>	<b>96</b>	<b>27,026</b>	<b>91</b>	<b>27,013</b>	<b>90</b>	<b>25,553</b>	<b>84</b>	<b>23,872</b>	<b>78</b>	<b>-7.3</b>
Level 1	27,278	93	26,076	88	26,142	87	24,805	82	23,200	76	-7.2
Level 2-Weapon	659	2.2	653	2.2	602	2.0	529	1.7	459	1.5	-13.9
Level 3-Aggravated	297	1.0	297	1.0	269	0.9	219	0.7	213	0.7	-3.5
Other sexual offences	3,494	12	3,343	11	3,650	12	3,445	11	3,301	11	-4.9
Abduction	1,035	3.5	977	3.3	985	3.3	829	2.7	726	2.4	-13.1
<b>Robbery - Total</b>	<b>30,332</b>	<b>103</b>	<b>31,797</b>	<b>107</b>	<b>29,587</b>	<b>99</b>	<b>28,963</b>	<b>96</b>	<b>28,745</b>	<b>94</b>	<b>-1.5</b>
Firearms	6,692	23	6,737	23	5,486	18	5,324	18	5,124	17	-4.5
Other Weapons	10,127	34	10,543	36	9,945	33	10,326	34	10,492	34	0.8
No Weapons	13,513	46	14,517	49	14,156	47	13,313	44	13,129	43	-2.2
<b>Violent crime - Total</b>	<b>295,702</b>	<b>1,007</b>	<b>296,746</b>	<b>1,000</b>	<b>296,890</b>	<b>990</b>	<b>296,166</b>	<b>979</b>	<b>291,330</b>	<b>955</b>	<b>-2.4</b>
<b>Break &amp; enter - Total</b>	<b>390,784</b>	<b>1,331</b>	<b>397,057</b>	<b>1,338</b>	<b>373,316</b>	<b>1,245</b>	<b>350,774</b>	<b>1,160</b>	<b>318,448</b>	<b>1,044</b>	<b>-9.9</b>
Business	108,749	370	110,196	371	100,696	336	92,590	306	83,950	275	-10.1
Residential	235,129	801	242,639	818	233,724	779	221,366	732	197,781	649	-11.4
Other	46,906	160	44,222	149	38,896	130	36,818	122	36,717	120	-1.1
Motor vehicle theft	161,696	551	180,123	607	177,130	591	165,920	549	161,405	529	-3.5
Theft over \$5,000	42,080	143	27,075	91	24,035	80	23,600	78	22,478	74	-5.5
Theft \$5,000 and under	820,908	2,797	823,732	2,776	758,292	2,529	713,632	2,359	679,095	2,227	-5.6
Possession of stolen goods	31,293	107	31,772	107	29,799	99	29,156	96	28,656	94	-2.5
Fraud	103,964	354	102,052	344	96,964	323	94,819	313	90,568	297	-5.2
<b>Property crime - Total</b>	<b>1,550,725</b>	<b>5,283</b>	<b>1,561,811</b>	<b>5,264</b>	<b>1,459,536</b>	<b>4,867</b>	<b>1,377,901</b>	<b>4,556</b>	<b>1,300,650</b>	<b>4,266</b>	<b>-6.4</b>
Mischief	380,041	1,295	365,830	1,233	341,854	1,140	326,918	1,081	312,563	1,025	-5.2
Counterfeiting currency	20,375	69	20,378	69	33,272	111	39,830	132	36,168	119	-9.9
Bail violation	66,939	228	68,949	232	70,367	235	73,034	241	72,223	237	-1.9
Disturbing the peace	51,401	175	54,563	184	57,704	192	65,513	217	69,982	230	6.0
Offensive weapons	17,571	60	16,400	55	16,103	54	16,766	55	16,043	53	-5.1
Prostitution	7,170	24	6,397	22	5,828	19	5,969	20	5,251	17	-12.7
Arson	13,156	45	12,830	43	12,693	42	12,947	43	12,763	42	-2.2
Other	236,574	806	240,989	812	240,519	802	246,112	814	240,798	790	-2.9
<b>Other Criminal Code - Total</b>	<b>793,227</b>	<b>2,702</b>	<b>786,336</b>	<b>2,650</b>	<b>778,340</b>	<b>2,596</b>	<b>787,089</b>	<b>2,602</b>	<b>765,791</b>	<b>2,512</b>	<b>-3.5</b>
<b>CRIMINAL CODE WITHOUT TRAFFIC - TOTAL</b>	<b>2,639,654</b>	<b>8,993</b>	<b>2,644,893</b>	<b>8,914</b>	<b>2,534,766</b>	<b>8,453</b>	<b>2,461,156</b>	<b>8,137</b>	<b>2,357,771</b>	<b>7,733</b>	<b>-5.0</b>
Impaired driving - Total <sup>2</sup>	102,285	348	96,280	324	90,145	301	87,660	290	85,984	282	-2.7
Fail to stop/remain	54,180	185	49,896	168	49,781	166	39,087	129	37,484	123	-4.9
Other	17,419	59	16,286	55	15,302	51	14,406	48	13,523	44	-6.9
<b>Criminal Code Traffic - Total</b>	<b>173,884</b>	<b>592</b>	<b>162,462</b>	<b>548</b>	<b>155,228</b>	<b>518</b>	<b>141,153</b>	<b>467</b>	<b>136,991</b>	<b>449</b>	<b>-3.7</b>
<b>CRIMINAL CODE - TOTAL</b>	<b>2,813,538</b>	<b>9,585</b>	<b>2,807,355</b>	<b>9,461</b>	<b>2,689,994</b>	<b>8,970</b>	<b>2,602,309</b>	<b>8,604</b>	<b>2,494,762</b>	<b>8,182</b>	<b>-4.9</b>
<b>DRUGS</b>	<b>61,613</b>	<b>210</b>	<b>65,729</b>	<b>222</b>	<b>66,593</b>	<b>222</b>	<b>70,922</b>	<b>234</b>	<b>79,871</b>	<b>262</b>	<b>11.7</b>
Cannabis	43,845	149	47,234	159	47,933	160	50,917	168	59,788	196	16.5
Cocaine	11,369	39	11,478	39	11,468	38	12,183	40	11,930	39	-2.9
Heroin	1,236	4.2	1,287	4.3	1,235	4.1	1,323	4.4	1,321	4.3	-1.0
Other drugs	5,163	18	5,730	19	5,957	20	6,509	22	6,832	22	4.1
<b>OTHER FEDERAL STATUTES</b>	<b>36,121</b>	<b>123</b>	<b>34,274</b>	<b>116</b>	<b>35,204</b>	<b>117</b>	<b>35,816</b>	<b>118</b>	<b>38,568</b>	<b>126</b>	<b>6.8</b>
<b>TOTAL FEDERAL STATUTES</b>	<b>2,911,272</b>	<b>9,918</b>	<b>2,907,358</b>	<b>9,798</b>	<b>2,791,791</b>	<b>9,310</b>	<b>2,709,047</b>	<b>8,956</b>	<b>2,613,201</b>	<b>8,570</b>	<b>-4.3</b>

<sup>1</sup> Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics, 1999 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: final intercensal estimates for 1995, final postcensal estimates for 1996, updated postcensal estimates from 1997 to 1999.

<sup>2</sup> Includes impaired operation of a vehicle causing death, causing bodily harm, alcohol rate over 80mg, failure/refusal to provide a breath/blood sample.

<sup>\*</sup> In comparison to the previous year rate. Percent change based on unrounded rates.

<sup>†</sup> Revised figures

Source: Uniform Crime Reporting Survey, CCJS.

Table 3

## Selected Criminal Code Incidents, Canada and the Provinces/Territories, 1999<sup>1</sup>

	Nfld. <sup>2</sup>	P.E.I.	N.S.	N.B. <sup>3</sup>	Que.	Ont.	Man.	Sask.	Alta.	B.C.	Yukon	N.W.T. <sup>4</sup>	Nvt. <sup>4</sup>	Canada
<b>Population, 1999</b>	<b>541,000</b>	<b>137,980</b>	<b>939,791</b>	<b>754,969</b>	<b>7,345,390</b>	<b>11,513,808</b>	<b>1,143,509</b>	<b>1,027,780</b>	<b>2,964,689</b>	<b>4,023,100</b>	<b>30,633</b>	<b>41,606</b>	<b>27,039</b>	<b>30,491,294</b>
<b>Homicide</b>														
number	2	1	13	9	136	161	26	13	61	110	1	1	2	536
rate	0.4	0.7	1.4	1.2	1.9	1.4	2.3	1.3	2.1	2.7	3.3	2.4	7.4	1.8
% change in rate*	-71.2	-0.7	-46.0	79.6	-1.0	2.0	-21.6	-60.7	-6.5	21.5	-65.6	-1.3	-51.1	-4.7
<b>Sexual Assault (1,2,3)</b>														
number	644	105	844	775	3,434	8,270	1,307	1,375	2,715	3,907	90	202	204	23,872
rate	119	76	90	103	47	72	114	134	92	97	294	486	754	78
% change in rate*	6.4	-33.2	-11.6	-13.7	6.1	-9.3	1.1	-9.3	-9.5	-11.6	-13.3	-7.7	-18.6	-7.3
<b>Assault (1,2,3)</b>														
number	4,084	772	7,495	5,768	32,795	75,439	13,744	12,938	24,339	40,318	807	1,667	1,115	221,281
rate	755	560	798	764	446	655	1,202	1,259	821	1,002	2,634	4,007	4,124	726
% change in rate*	4.7	1.5	2.7	5.5	3.0	-4.3	-2.9	2.1	-2.5	-4.6	12.9	-2.8	-7.1	-2.0
<b>Robbery</b>														
number	64	19	425	162	8,287	8,720	1,987	887	2,542	5,611	15	19	7	28,745
rate	12	14	45	21	113	76	174	86	86	139	49	46	26	94
% change in rate*	-12.8	-21.4	-7.6	-1.4	3.0	-5.8	8.6	-8.7	-2.7	-1.6	28.9	-14.7	-54.4	-1.5
<b>Violent crime - Total</b>														
number	5,004	945	9,269	7,218	48,934	98,118	17,978	16,334	31,462	51,637	972	2,042	1,417	291,330
rate	925	685	986	956	666	852	1,572	1,589	1,061	1,284	3,173	4,908	5,241	955
% change in rate*	4.0	-5.7	0.8	2.9	3.4	-4.8	-2.2	-0.8	-3.3	-4.8	9.1	-2.9	-11.1	-2.4
<b>Breaking &amp; Entering</b>														
number	4,328	717	9,139	5,475	84,972	92,485	15,209	16,869	29,287	58,026	560	882	499	318,448
rate	800	520	972	725	1,157	803	1,330	1,641	988	1,442	1,828	2,120	1,845	1,044
% change in rate*	-2.6	1.7	-0.2	-7.2	-13.6	-9.5	-5.7	-5.4	-4.2	-11.9	-5.0	-13.9	-22.8	-9.9
<b>Motor Vehicle Theft</b>														
number	618	191	2,831	1,631	43,068	50,065	10,723	7,078	14,847	29,731	228	225	169	161,405
rate	114	138	301	216	586	435	938	689	501	739	744	541	625	529
% change in rate*	-3.3	4.8	0.1	14.5	-9.1	-1.7	1.3	-3.0	-6.2	0.8	10.4	-3.8	3.2	-3.5
<b>Other Theft</b>														
number	7,770	2,655	22,017	11,758	124,329	227,005	28,697	28,342	79,943	166,296	1,198	1,123	440	701,573
rate	1,436	1,924	2,343	1,557	1,693	1,972	2,510	2,758	2,697	4,134	3,911	2,699	1,627	2,301
% change in rate*	3.6	13.6	-1.3	-1.1	-7.5	-8.3	3.4	-6.0	-2.4	-4.7	0.9	-24.0	-7.7	-5.6
<b>Property crime - Total</b>														
number	14,634	4,118	37,711	22,531	273,403	411,456	58,136	59,140	141,736	272,021	2,212	2,376	1,176	1,300,650
rate	2,705	2,984	4,013	2,984	3,722	3,574	5,084	5,754	4,781	6,761	7,221	5,711	4,349	4,266
% change in rate*	1.7	9.1	-1.1	-1.3	-8.9	-7.6	-1.6	-5.2	-3.5	-6.1	3.2	-18.6	-12.7	-6.4
<b>Offensive weapons</b>														
number	168	29	469	386	1,136	6,567	1,164	853	1,666	3,438	59	67	41	16,043
rate	31	21	50	51	15	57	102	83	56	85	193	161	152	53
% change in rate*	34.4	-22.2	-4.5	63.2	13.1	-8.6	8.3	-1.1	-16.8	-7.6	48.4	-9.4	-40.2	-5.1
<b>Mischief</b>														
number	4,912	1,784	12,445	7,544	51,194	97,269	22,825	16,833	37,999	55,173	803	2,731	1,051	312,563
rate	908	1,293	1,324	999	697	845	1,996	1,638	1,282	1,371	2,621	6,564	3,887	1,025
% change in rate*	4.9	25.3	3.8	4.7	-6.7	-9.7	6.5	-3.5	-4.2	-6.1	5.5	7.5	-13.7	-5.2
<b>Other Criminal Code - Total</b>														
number	12,395	4,399	31,093	22,121	113,535	239,697	44,801	49,452	95,076	142,457	2,887	5,584	2,294	765,791
rate	2,291	3,188	3,309	2,930	1,546	2,082	3,918	4,812	3,207	3,541	9,424	13,421	8,484	2,512
% change in rate*	2.3	14.4	7.0	4.0	-9.6	-8.2	1.7	0.3	4.7	-2.5	15.6	3.4	-11.5	-3.5
<b>CRIMINAL CODE - TOTAL - without traffic offences</b>														
number	32,033	9,462	78,073	51,870	435,872	749,271	120,915	124,926	268,274	466,115	6,071	10,002	4,887	2,357,771
rate	5,921	6,858	8,307	6,870	5,934	6,508	10,574	12,155	9,049	11,586	19,818	24,040	18,074	7,733
% change in rate*	2.3	9.7	2.2	1.5	-7.8	-7.4	-0.5	-2.5	-0.7	-4.9	9.7	-4.0	-11.7	-5.0

<sup>1</sup> Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics, 1999 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: updated postcensal estimates for 1998 and 1999.

<sup>2</sup> Royal Newfoundland constabulary St. John's jurisdiction was unable to contribute 1999 crime statistics due to a new Police Information and Management System. As such, 1999 data have been substituted with 1998 counts.

<sup>3</sup> In 1998, Codiac Regional was unable to provide accurate crime statistics due to a change in police information systems. As such, 1998 data have been substituted with 1999 counts.

<sup>4</sup> Data for 1998 for the Northwest Territories (without Nunavut) and Nunavut have been estimated in order to allow for comparisons with 1999.

\* In comparison to the previous year rate. Percent change based on unrounded rates.

... Figures not appropriate or applicable

- Nil or zero

Source: Uniform Crime Reporting Survey, CCJS.



Table 4

### Selected Criminal Code Incidents for Major Metropolitan Areas, 1999<sup>1</sup>

	Toronto	Montréal	Vancouver	Edmonton	Calgary	Ottawa <sup>2</sup>	Québec	Winnipeg	Hamilton
<b>Population 1999</b>	<b>4,680,250</b>	<b>3,438,532</b>	<b>2,016,643</b>	<b>933,748</b>	<b>929,145</b>	<b>809,034</b>	<b>688,085</b>	<b>677,625</b>	<b>665,169</b>
Homicide									
number	60	70	57	13	20	12	10	15	16
rate	1.3	2.0	2.8	1.4	2.2	1.5	1.5	2.2	2.4
% change in rate*	-22.6	7.2	25.6	-33.8	-10.5	...	-33.5	-16.6	...
Sexual assault (1,2,3)									
number	2,547	1,615	1,202	614	710	455	275	479	468
rate	54	47	60	66	76	56	40	71	70
% change in rate*	-3.6	8.9	-19.6	-3.4	-14.5	-18.9	-8.2	0.5	-22.8
Assault (1,2,3)									
number	28,180	18,726	16,356	5,949	5,473	4,369	2,193	5,581	5,306
rate	602	545	811	637	589	540	319	824	798
% change in rate*	-3.5	2.2	-3.6	-0.3	-16.4	-16.0	3.1	-7.7	-5.3
Robbery									
number	5,388	6,667	4,379	1,016	1,270	848	468	1,814	558
rate	115	194	217	109	137	105	68	268	84
% change in rate*	-6.9	1.7	0.8	2.0	-4.5	-18.4	5.2	8.4	23.4
<b>Violent crime - Total</b>									
number	<b>37,669</b>	<b>29,131</b>	<b>22,594</b>	<b>7,918</b>	<b>8,073</b>	<b>5,920</b>	<b>3,200</b>	<b>8,350</b>	<b>6,531</b>
rate	<b>805</b>	<b>847</b>	<b>1,120</b>	<b>848</b>	<b>869</b>	<b>732</b>	<b>465</b>	<b>1,232</b>	<b>982</b>
% change in rate*	<b>-3.9</b>	<b>2.5</b>	<b>-4.1</b>	<b>-0.7</b>	<b>-13.1</b>	<b>-16.1</b>	<b>1.8</b>	<b>-4.9</b>	<b>-4.3</b>
Break & enter									
number	28,637	45,127	32,282	9,464	9,456	7,144	6,078	8,372	6,072
rate	612	1,312	1,601	1,014	1,018	883	883	1,235	913
% change in rate*	-7.9	-11.1	-14.6	-7.0	-6.1	-11.9	-22.7	-10.8	-1.8
Motor vehicle theft									
number	18,696	28,772	21,194	6,201	4,317	5,259	2,032	8,865	5,255
rate	399	837	1,051	664	465	650	295	1,308	790
% change in rate*	-2.0	-8.9	3.8	-11.8	-4.4	-14.2	-16.7	3.3	3.1
Other theft									
number	84,483	70,399	95,313	26,464	24,689	17,628	11,792	19,072	12,880
rate	1,805	2,047	4,726	2,834	2,657	2,179	1,714	2,815	1,936
% change in rate*	-7.4	-7.1	-4.4	-4.0	-3.5	-13.2	-5.0	4.1	-5.0
<b>Property crime - Total</b>									
number	<b>147,126</b>	<b>156,367</b>	<b>156,512</b>	<b>47,023</b>	<b>44,616</b>	<b>32,084</b>	<b>21,333</b>	<b>37,878</b>	<b>25,689</b>
rate	<b>3,144</b>	<b>4,547</b>	<b>7,761</b>	<b>5,036</b>	<b>4,802</b>	<b>3,966</b>	<b>3,100</b>	<b>5,590</b>	<b>3,862</b>
% change in rate*	<b>-6.4</b>	<b>-7.6</b>	<b>-5.6</b>	<b>-4.6</b>	<b>-4.0</b>	<b>-13.0</b>	<b>-11.6</b>	<b>-2.0</b>	<b>-2.6</b>
Offensive weapons									
number	1,744	408	1,563	254	433	258	43	402	251
rate	37	12	78	27	47	32	6	59	38
% change in rate*	1.0	7.5	-7.3	-15.6	-16.8	-42.2	-23.4	-6.4	7.4
Mischief									
number	26,172	25,576	22,420	8,677	11,048	6,897	5,221	13,134	5,188
rate	559	744	1,112	929	1,189	852	759	1,938	780
% change in rate*	-11.9	-6.2	-7.1	-7.3	-2.0	-15.2	-5.3	12.4	-5.5
<b>Other Criminal Code - Total</b>									
number	<b>67,259</b>	<b>61,095</b>	<b>54,052</b>	<b>15,598</b>	<b>26,597</b>	<b>14,141</b>	<b>8,423</b>	<b>19,931</b>	<b>12,630</b>
rate	<b>1,437</b>	<b>1,777</b>	<b>2,680</b>	<b>1,670</b>	<b>2,863</b>	<b>1,748</b>	<b>1,224</b>	<b>2,941</b>	<b>1,899</b>
% change in rate*	<b>-13.0</b>	<b>-12.4</b>	<b>-1.8</b>	<b>-2.8</b>	<b>3.5</b>	<b>-19.8</b>	<b>-11.4</b>	<b>0.4</b>	<b>-9.4</b>
<b>CRIMINAL CODE - TOTAL - excluding Traffic</b>									
number	<b>252,054</b>	<b>246,593</b>	<b>233,158</b>	<b>70,539</b>	<b>79,286</b>	<b>52,145</b>	<b>32,956</b>	<b>66,159</b>	<b>44,850</b>
rate	<b>5,385</b>	<b>7,171</b>	<b>11,562</b>	<b>7,554</b>	<b>8,533</b>	<b>6,445</b>	<b>4,790</b>	<b>9,763</b>	<b>6,743</b>
% change in rate*	<b>-7.9</b>	<b>-7.8</b>	<b>-4.6</b>	<b>-3.8</b>	<b>-2.7</b>	<b>-15.3</b>	<b>-10.4</b>	<b>-1.6</b>	<b>-4.8</b>

<sup>1</sup> Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics, 1999 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: updated postcensal estimates for 1998 and 1999.

<sup>2</sup> Ottawa represents the Ontario part of the Ottawa-Hull CMA.

\* In comparison to the previous year rate. Percent change based on unrounded rates.

... figures not appropriate or applicable.

Source: Uniform Crime Reporting Survey, CCJS.

Table 5

# Crime Rates for Census Metropolitan Areas by Major Crime Category, Canada, 1999<sup>1,2</sup>

		Total CC Offences		Violent crime		Property crime		Other crimes	
	Population	1999 rate	% change in rate*	1999 rate	% change in rate	1999 rate	% change in rate	1999 rate	% change in rate
<b>CMA with population of 500,000 and over</b>									
Vancouver	2,016,643	11,562	-4.6	1,120	-4.1	7,761	-5.6	2,680	-1.8
Winnipeg	677,625	9,763	-1.6	1,232	-4.9	5,590	-2.0	2,941	0.4
Edmonton	929,145	8,533	-2.7	869	-13.1	4,802	-4.0	2,863	3.5
Calgary	933,748	7,554	-3.8	848	-0.7	5,036	-4.6	1,670	-2.8
Montréal	3,438,532	7,171	-7.8	847	2.5	4,547	-7.6	1,777	-12.4
Hamilton	665,169	6,743	-4.8	982	-4.3	3,862	-2.6	1,899	-9.4
Ottawa <sup>3</sup>	809,034	6,445	-15.3	732	-16.1	3,966	-13.0	1,748	-19.8
Toronto	4,680,250	5,385	-7.9	805	-3.9	3,144	-6.5	1,437	-12.9
Québec	688,085	4,790	-10.4	465	1.8	3,100	-11.6	1,224	-11.4
<b>CMA with population between 100,000 and 499,999</b>									
Regina	199,163	15,191	-0.1	1,709	-1.4	8,536	-4.5	4,946	9.2
Victoria	316,195	11,865	3.9	1,268	-5.8	6,577	8.7	4,021	-0.3
Saskatoon	231,403	11,640	-1.0	1,332	-5.2	6,439	2.1	3,869	-4.6
Halifax	352,594	9,551	-0.5	988	-0.6	5,782	-2.2	2,782	3.2
Thunder Bay	126,649	9,109	-13.0	1,525	-13.2	4,178	-14.8	3,406	-10.7
London	418,660	8,581	3.1	885	-1.5	5,260	6.4	2,437	-2.0
Saint John <sup>4</sup>	146,267	7,367	-4.4	1,039	-6.7	3,133	-7.6	3,194	-0.0
St. Catharines-Niagara <sup>4</sup>	422,607	6,837	-8.8	617	-4.0	4,032	-7.2	2,188	-12.7
Windsor	299,966	6,595	-16.5	742	-18.5	3,517	-17.3	2,337	-14.4
Sudbury	160,357	6,514	-9.1	942	5.7	3,661	-15.1	1,911	-2.5
Kitchener <sup>4</sup>	439,107	6,385	-7.3	669	-16.5	4,041	-6.3	1,675	-5.3
Hull <sup>5</sup>	255,987	6,160	-8.7	654	-6.9	3,788	-7.7	1,718	-11.5
Sherbrooke	153,140	5,806	-2.5	396	-3.8	3,881	-3.9	1,529	1.7
Trois-Rivières	141,751	5,571	-13.1	475	-4.0	3,477	-15.6	1,619	-9.9
Chicoutimi-Jonquière <sup>4</sup>	147,021	5,249	-16.6	569	-0.4	3,311	-22.9	1,369	-4.1

<sup>1</sup> The Oshawa Census Metropolitan Area (CMA) is excluded from this table due to the incongruity between the police agency jurisdictional boundaries and the CMA boundaries. Data for St. John's CMA were not available for 1999.

<sup>2</sup> Rates are calculated per 100,000 population. The population estimates come from the Annual Demographic Statistics, 1999 report, produced by Statistics Canada, Census and Demographic Statistics, Demography Division. Populations as of July 1st: updated postcensal estimates for 1998 and 1999.

<sup>3</sup> Ottawa refers to the Ontario part of the Ottawa-Hull CMA.

<sup>4</sup> Populations were adjusted to follow policing boundaries.

<sup>5</sup> Hull refers to the Quebec part of the Ottawa-Hull CMA.

\* In comparison to the previous year rate. Percent change based on unrounded rates.

Source: Uniform Crime Reporting Survey, CCJS



Table 6

### Persons Charged by Age Group and Gender, Selected Incidents, 1999

	Age Group by Gender				Total by Age Group	
	Adults (18 and over)		Youth (12 to 17)		Adult	Youth
	Male	Female	Male	Female		
	%		%		%	
Homicide <sup>1</sup>	91	9	80	20	90	10
Attempted murder	87	13	86	14	90	10
Assaults	84	16	71	29	85	15
Sexual assaults	98	2	96	4	84	16
Other sexual offences	97	3	96	4	85	15
Abduction	60	40	57	43	96	4
Robbery	91	9	84	16	67	33
<b>Violent crime - Total</b>	<b>86</b>	<b>14</b>	<b>75</b>	<b>25</b>	<b>84</b>	<b>16</b>
Break and enter	94	6	90	10	62	38
Motor vehicle theft	93	7	86	14	60	40
Fraud	71	29	68	32	92	8
Theft over \$5,000	78	22	84	16	85	15
Theft \$5,000 and under	70	30	68	32	73	27
<b>Property crime - Total</b>	<b>78</b>	<b>22</b>	<b>78</b>	<b>22</b>	<b>73</b>	<b>27</b>
Mischief	88	12	88	12	68	32
Arson	82	18	82	18	55	45
Prostitution	47	53	18	82	98	2
Offensive weapons	89	11	92	8	80	20
<b>Criminal Code - Total</b>	<b>82</b>	<b>18</b>	<b>77</b>	<b>23</b>	<b>79</b>	<b>21</b>
Impaired driving <sup>2</sup>	89	11	85	15	99	1
Cannabis Offences	87	13	89	11	84	16
Cocaine Offences	82	18	77	23	94	6
Other Drugs Offences	83	17	83	17	88	12

<sup>1</sup> These data are based on the Homicide Survey, CCJS.

<sup>2</sup> Includes impaired operation of a vehicle causing death, causing bodily harm, alcohol rate over 80 mg., failure/refusal to provide a breath/blood sample. Age of persons charged with impaired driving comes from the Incident-based survey (UCR2).

**Source:** Uniform Crime Reporting survey, CCJS.

Table 7

Youths Charged with Selected Criminal Code Incidents, Canada, 1989 - 1999<sup>1</sup>

	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998 <sup>r</sup>	1999
<b>Population (aged 12-17)</b>	<b>2,244,017</b>	<b>2,256,094</b>	<b>2,273,918</b>	<b>2,305,122</b>	<b>2,330,853</b>	<b>2,359,067</b>	<b>2,386,301</b>	<b>2,417,604</b>	<b>2,439,553</b>	<b>2,449,216</b>	<b>2,449,610</b>
Homicide											
number	47	47	48	58	36	58	68	49	54	56	45
rate	2	2	2	3	2	2	3	2	2	2	2
% change in rate*	0.2	-0.5	1.3	19.2	-38.6	59.2	15.9	-28.9	9.2	3.3	-19.7
Assaults (levels 1, 2, 3)											
number	9,245	10,797	12,815	13,584	14,981	15,363	15,898	15,945	15,612	15,862	15,306
rate	412	479	564	589	643	651	666	660	640	648	625
% change in rate*	20.6	16.2	17.8	4.6	9.1	1.3	2.3	-1.0	-3.0	1.2	-3.5
Sexual assaults (levels 1, 2, 3)											
number	1,478	1,609	1,906	2,074	2,132	1,896	1,586	1,581	1,494	1,440	1,423
rate	66	71	84	90	91	80	66	65	61	59	58
% change in rate*	18.7	8.3	17.5	7.3	1.7	-12.1	-17.3	-1.6	-6.4	-4.0	-1.2
Robbery											
number	1,950	2,055	2,746	2,966	2,996	3,006	3,535	3,741	3,792	3,576	3,189
rate	87	91	121	129	129	127	148	155	155	146	130
% change in rate*	26.5	4.8	32.6	6.5	-0.1	-0.9	16.3	4.5	0.5	-6.1	-10.8
<b>Total Violent Crime</b>											
number	<b>13,780</b>	<b>15,690</b>	<b>18,919</b>	<b>20,028</b>	<b>21,477</b>	<b>21,629</b>	<b>22,441</b>	<b>22,521</b>	<b>22,172</b>	<b>22,195</b>	<b>21,081</b>
rate	<b>614</b>	<b>695</b>	<b>832</b>	<b>869</b>	<b>921</b>	<b>917</b>	<b>940</b>	<b>932</b>	<b>909</b>	<b>906</b>	<b>861</b>
% change in rate*	<b>20.7</b>	<b>13.3</b>	<b>19.6</b>	<b>4.4</b>	<b>6.1</b>	<b>-0.5</b>	<b>2.6</b>	<b>-0.9</b>	<b>-2.4</b>	<b>-0.3</b>	<b>-5.0</b>
Break and enter											
number	22,155	24,066	26,901	24,747	21,947	19,992	18,654	18,532	17,092	16,007	13,469
rate	987	1,067	1,183	1,074	942	847	782	767	701	654	550
% change in rate*	-7.1	8.0	10.9	-9.3	-12.3	-10.0	-7.8	-1.9	-8.6	-6.7	-15.9
Motor vehicle theft											
number	7,330	7,945	8,768	8,122	8,211	7,476	6,875	7,011	6,468	6,228	5,550
rate	327	352	386	352	352	317	288	290	265	254	227
% change in rate*	14.1	7.8	9.5	-8.6	-0.0	-10.0	-9.1	0.7	-8.6	-4.1	-10.9
Theft											
number	38,897	42,514	45,221	39,648	35,301	32,228	33,762	32,473	27,060	24,744	22,206
rate	1,733	1,884	1,989	1,720	1,515	1,366	1,415	1,343	1,109	1,010	907
% change in rate*	7.1	8.7	5.5	-13.5	-11.9	-9.8	3.6	-5.1	-17.4	-8.9	-10.3
<b>Total Property crime</b>											
number	<b>76,317</b>	<b>83,741</b>	<b>91,656</b>	<b>83,603</b>	<b>74,981</b>	<b>68,907</b>	<b>68,105</b>	<b>66,702</b>	<b>58,340</b>	<b>54,104</b>	<b>48,415</b>
rate	<b>3,401</b>	<b>3,712</b>	<b>4,031</b>	<b>3,627</b>	<b>3,217</b>	<b>2,921</b>	<b>2,854</b>	<b>2,759</b>	<b>2,391</b>	<b>2,209</b>	<b>1,976</b>
% change in rate*	<b>2.9</b>	<b>9.1</b>	<b>8.6</b>	<b>-10.0</b>	<b>-11.3</b>	<b>-9.2</b>	<b>-2.3</b>	<b>-3.3</b>	<b>-13.3</b>	<b>-7.6</b>	<b>-10.5</b>
Offensive weapons											
number	1,702	1,809	2,020	1,906	1,932	1,963	1,693	1,551	1,478	1,457	1,436
rate	76	80	89	83	83	83	71	64	61	59	59
% change in rate*	12.6	5.7	10.8	-6.9	0.2	0.4	-14.7	-9.6	-5.6	-1.8	-1.5
Mischief											
number	8,491	8,647	9,725	9,066	8,214	7,687	7,745	7,695	7,005	6,926	6,645
rate	378	383	428	393	352	326	325	318	287	283	271
% change in rate*	-1.6	1.3	11.6	-8.0	-10.4	-7.5	-0.4	-1.9	-9.8	-1.5	-4.1
<b>Total Other Criminal Code</b>											
number	<b>25,865</b>	<b>27,118</b>	<b>31,741</b>	<b>31,651</b>	<b>30,429</b>	<b>29,089</b>	<b>30,117</b>	<b>30,187</b>	<b>30,329</b>	<b>31,153</b>	<b>30,250</b>
rate	<b>1,153</b>	<b>1,202</b>	<b>1,396</b>	<b>1,373</b>	<b>1,305</b>	<b>1,233</b>	<b>1,262</b>	<b>1,249</b>	<b>1,243</b>	<b>1,272</b>	<b>1,235</b>
% change in rate*	<b>7.3</b>	<b>4.3</b>	<b>16.1</b>	<b>-1.6</b>	<b>-4.9</b>	<b>-5.5</b>	<b>2.4</b>	<b>-1.1</b>	<b>-0.4</b>	<b>2.3</b>	<b>-2.9</b>
<b>Total Criminal Code</b>											
number	<b>115,962</b>	<b>126,549</b>	<b>142,316</b>	<b>135,282</b>	<b>126,887</b>	<b>119,625</b>	<b>120,663</b>	<b>119,410</b>	<b>110,841</b>	<b>107,452</b>	<b>99,746</b>
rate	<b>5,168</b>	<b>5,609</b>	<b>6,259</b>	<b>5,869</b>	<b>5,444</b>	<b>5,071</b>	<b>5,056</b>	<b>4,939</b>	<b>4,543</b>	<b>4,387</b>	<b>4,072</b>
% change in rate*	<b>5.7</b>	<b>8.5</b>	<b>11.6</b>	<b>-6.2</b>	<b>-7.2</b>	<b>-6.9</b>	<b>-0.3</b>	<b>-2.3</b>	<b>-8.0</b>	<b>-3.4</b>	<b>-7.2</b>

<sup>1</sup> Rates are calculated on the basis of 100,000 youths. The population estimates come from the Annual Demographic Statistics, 1999 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: revised intercensal estimates from 1989 to 1990, final intercensal estimates for 1991 to 1995, final postcensal estimates for 1996, updated postcensal estimates from 1997 to 1999.

\* In comparison to the previous year rate. Percent change based on unrounded rates.

<sup>r</sup> Revised figures

Source: Uniform Crime Reporting Survey, CCJS.



Table 8

# Youth Charged With Selected Criminal Code Incidents, Canada and the Provinces/Territories, 1999<sup>1</sup>

	Nfld. <sup>2</sup>	P.E.I.	N.S.	N.B. <sup>3</sup>	Qc	Ont.	Man.	Sask.	Alta.	B.C.	Yukon	N.W.T. <sup>4</sup>	Nvt. <sup>4</sup>	Canada
<b>Population 1999</b>	<b>49,576</b>	<b>12,395</b>	<b>76,110</b>	<b>61,080</b>	<b>549,616</b>	<b>914,665</b>	<b>98,179</b>	<b>96,479</b>	<b>264,298</b>	<b>318,474</b>	<b>2,935</b>	<b>4,009</b>	<b>3,174</b>	<b>2,449,610</b>
<b>Homicide</b>														
number	1	-	-	-	9	10	4	6	9	6	-	-	-	45
rate	2.1	-	-	-	1.6	1.1	4.1	6.2	3.4	1.9	-	-	-	1.8
% change in rate*	...	...	...	...	15.1	-29.4	-0.8	20.4	-19.4	19.8	...	...	...	-19.7
<b>Sexual Assault (1, 2, 3)</b>														
number	47	6	45	46	189	545	86	86	154	199	5	10	5	1,423
rate	98	48	59	75	34	60	88	89	58	62	170	249	158	58
% change in rate*	111.9	-25.6	-0.3	25.9	26.4	-7.0	0.3	-7.2	-12.3	-6.7	...	-10.7	-62.4	-1.2
<b>Assault (1, 2, 3)</b>														
number	281	22	426	471	1,985	6,633	989	894	1,706	1,796	22	44	37	15,306
rate	583	177	560	771	361	725	1,007	927	645	564	750	1,098	1,166	625
% change in rate*	7.5	-50.4	0.1	12.5	3.6	-6.7	1.6	-0.7	0.3	-12.5	-23.0	-11.8	-9.6	-3.5
<b>Robbery</b>														
number	13	5	67	32	618	1,189	286	150	408	411	7	3	-	3,189
rate	27	40	88	52	112	130	291	155	154	129	239	75	-	130
% change in rate*	-38.7	-29.1	-17.6	35.0	-1.2	-7.7	-14.3	-34.8	-9.5	-20.6	...	...	...	-10.8
<b>Violent crime - Total</b>														
number	362	36	597	593	3,022	8,738	1,441	1,226	2,403	2,513	36	66	48	21,081
rate	751	290	784	971	550	955	1,468	1,271	909	789	1,227	1,646	1,512	861
% change in rate*	10.8	-40.4	-1.2	10.8	3.2	-7.5	-3.8	-6.7	-3.3	-13.2	-15.0	-8.7	-24.3	-5.0
<b>Breaking &amp; Entering</b>														
number	579	52	608	391	1,801	3,814	1,050	1,601	1,622	1,524	54	272	101	13,469
rate	1,201	420	799	640	328	417	1,069	1,659	614	479	1,840	6,785	3,182	550
% change in rate*	-3.9	72.0	-13.3	-1.5	-26.1	-13.7	-11.5	-15.7	-17.7	-21.9	-43.5	39.2	-25.2	-15.9
<b>Motor Vehicle Theft</b>														
number	89	22	158	112	758	1,544	735	725	815	520	17	33	22	5,550
rate	185	177	208	183	138	169	749	751	308	163	579	823	693	227
% change in rate*	-24.3	21.3	-26.4	-6.3	-13.8	-15.5	-5.7	0.6	-3.5	-16.8	23.3	-7.4	-52.2	-10.9
<b>Other Theft</b>														
number	557	82	1,121	688	2,471	7,698	1,641	1,383	2,822	3,607	73	38	25	22,206
rate	1,156	662	1,473	1,126	450	842	1,671	1,433	1,068	1,133	2,487	948	788	907
% change in rate*	10.3	-9.6	11.3	-4.4	-17.4	-17.6	-1.4	-5.6	-8.4	-4.9	21.5	-44.3	1.8	-10.3
<b>Property crime - Total</b>														
number	1,328	172	2,041	1,331	5,509	16,328	3,730	4,365	6,470	6,482	159	351	149	48,415
rate	2,755	1,388	2,682	2,179	1,002	1,785	3,799	4,524	2,448	2,035	5,417	8,755	4,694	1,976
% change in rate*	1.4	8.1	0.6	-2.6	-18.0	-13.9	-4.5	-8.6	-8.6	-10.2	-15.0	12.3	-29.0	-10.5
<b>Offensive weapons</b>														
number	12	-	35	27	66	671	176	70	199	173	2	3	2	1,436
rate	25	-	46	44	12	73	179	73	75	54	68	75	63	59
% change in rate*	107.4	...	-3.1	95.3	3.9	-6.5	41.9	-15.4	-14.8	-6.6	...	-1.7	-2.3	-1.5
<b>Mischief</b>														
number	170	27	351	251	679	2,238	448	647	923	835	20	34	22	6,645
rate	353	218	461	411	124	245	456	671	349	262	681	848	693	271
% change in rate*	-3.6	-13.5	18.2	-8.9	-7.8	-0.8	-15.4	-12.3	-7.8	1.1	-47.9	15.2	115.0	-4.1
<b>Other Criminal Code - Total</b>														
number	630	71	1,177	1,108	2,545	11,788	2,073	3,724	4,146	2,708	108	130	42	30,250
rate	1,307	573	1,546	1,814	463	1,289	2,111	3,860	1,569	850	3,680	3,243	1,323	1,235
% change in rate*	-5.0	3.6	5.4	-16.9	-4.0	-2.2	-1.8	-5.1	-5.3	0.6	6.5	-3.2	-8.8	-2.9
<b>CRIMINAL CODE - TOTAL - without traffic crime</b>														
number	2,320	279	3,815	3,032	11,076	36,854	7,244	9,315	13,019	11,703	303	547	239	99,746
rate	4,814	2,251	5,012	4,964	2,015	4,029	7,378	9,655	4,926	3,675	10,324	13,644	7,530	4,072
% change in rate*	0.8	-3.2	1.7	-6.3	-9.9	-8.9	-3.6	-7.0	-6.6	-8.6	-8.4	5.4	-25.1	-7.2

<sup>1</sup> Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics, 1999 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: updated postcensal estimates for 1998 and 1999.

<sup>2</sup> Royal Newfoundland constabulary St. John's jurisdiction was unable to contribute 1999 crime statistics due to a new Police Information and Management System. As such, 1999 data have been substituted with 1998 counts.

<sup>3</sup> In 1998, Codiac Regional was unable to provide accurate crime statistics due to a change in police information systems. As such, 1998 data have been substituted with 1999 counts.

<sup>4</sup> Data for 1998 for the Northwest Territories (without Nunavut) and Nunavut have been estimated in order to allow for comparisons with 1999.

\* In comparison to the previous year rate. Percent change based on unrounded rates.

... Figures not appropriate or applicable

- Nil or zero

Source: Uniform Crime Reporting Survey, CCJS.

Table 9



# Population Estimates of Canada and the Provinces/Territories, 1989 to 1999

	Nfld.	P.E.I.	N.S.	N.B.	Qc.	Ont.	Man.	Sask.	Alta.	B.C.	Yukon	N.W.T.	Nun.	Canada
	thousands													
Year														
1989														
Total	576.4	130.1	903.9	735.2	6,929.5	10,109.8	1,103.5	1,019.3	2,495.8	3,198.5	27.1	57.0	...	27,286.2
Adult (18+)	407.3	94.4	676.7	542.8	5,282.9	7,666.8	813.4	729.0	1,804.0	2,433.0	19.4	35.9	...	20,505.3
Youth (12-17)	65.8	12.2	79.9	70.6	551.7	810.6	96.5	92.4	210.4	245.8	2.2	6.0	...	2,244.0
1990														
Total	578.1	130.5	909.7	740.1	7,004.4	10,299.6	1,105.6	1,007.1	2,547.6	3,291.4	27.8	58.9	...	27,700.9
Adult (18+)	412.9	94.9	683.1	549.2	5,341.3	7,814.7	814.8	720.4	1,840.8	2,504.3	19.8	37.2	...	20,833.4
Youth (12-17)	63.7	12.0	78.2	69.1	561.2	810.7	95.8	91.8	214.4	251.0	2.2	5.9	...	2,256.1
1991														
Total	579.5	130.3	915.1	745.5	7,064.7	10,427.6	1,109.6	1,002.7	2,592.6	3,373.4	28.9	60.9	...	28,030.9
Adult (18+)	418.7	95.0	689.3	556.3	5,385.3	7,913.1	818.1	717.9	1,873.1	2,567.8	20.7	38.4	...	21,093.5
Youth (12-17)	61.5	12.0	77.0	67.7	571.9	811.5	95.4	92.0	219.2	257.4	2.3	6.1	...	2,273.9
1992														
Total	580.2	130.9	919.4	748.5	7,112.8	10,570.5	1,113.1	1,004.0	2,634.4	3,470.3	30.2	62.4	...	28,376.5
Adult (18+)	423.2	95.7	694.4	561.3	5,419.0	8,010.2	821.2	720.0	1,903.4	2,641.5	21.6	39.1	...	21,350.6
Youth (12-17)	59.8	11.9	76.4	66.7	583.9	820.0	94.7	92.7	224.6	265.6	2.5	6.3	...	2,305.1
1993														
Total	580.2	132.3	923.7	749.5	7,165.2	10,690.4	1,118.4	1,006.9	2,670.7	3,571.5	30.6	63.5	...	28,703.1
Adult (18+)	427.2	97.0	699.9	565.0	5,465.8	8,099.7	826.2	723.5	1,933.4	2,721.4	22.0	39.9	...	21,621.0
Youth (12-17)	58.4	11.9	75.7	65.4	590.1	827.5	94.3	93.9	229.9	274.8	2.5	6.5	...	2,330.9
1994														
Total	574.8	133.7	926.3	750.9	7,207.3	10,827.5	1,123.9	1,009.7	2,704.9	3,681.8	30.0	65.2	...	29,036.0
Adult (18+)	427.0	98.3	704.1	568.8	5,508.3	8,204.2	831.0	726.9	1,964.8	2,810.1	21.6	41.0	...	21,906.2
Youth (12-17)	56.6	12.0	75.0	64.4	592.3	839.3	94.4	95.1	234.7	286.3	2.5	6.6	...	2,359.1
1995														
Total	568.0	134.8	927.7	751.8	7,241.4	10,964.9	1,129.8	1,014.2	2,739.9	3,784.0	30.9	66.6	...	29,353.9
Adult (18+)	425.3	99.5	706.8	572.1	5,549.8	8,310.4	835.7	732.5	1,997.1	2,894.8	22.2	42.0	...	22,188.2
Youth (12-17)	55.0	12.0	75.1	63.6	588.2	854.8	95.1	95.9	240.4	296.5	2.7	6.8	...	2,386.3
1996														
Total	560.6	136.2	931.2	753.0	7,274.0	11,100.9	1,134.3	1,019.5	2,780.6	3,882.0	31.9	67.6	...	29,671.9
Adult (18+)	423.3	100.8	711.1	575.6	5,588.7	8,410.7	840.0	738.7	2,034.4	2,977.2	23.1	42.7	...	22,466.3
Youth (12-17)	53.4	12.1	75.5	63.3	583.5	872.4	96.0	96.7	246.8	308.0	2.9	7.0	...	2,417.6
1997														
Total	554.1	136.9	934.5	754.2	7,302.6	11,249.5	1,136.6	1,022.0	2,837.2	3,959.7	32.2	67.7	...	29,987.2
Adult (18+)	422.2	101.9	716.4	579.4	5,634.4	8,540.4	843.5	743.8	2,084.6	3,045.3	23.4	42.8	...	22,778.1
Youth (12-17)	51.8	12.2	75.8	62.8	574.9	889.9	96.7	96.6	253.6	315.2	3.0	7.0	...	2,439.6
1998														
Total	545.4	137.0	936.1	753.5	7,323.0	11,384.4	1,138.0	1,025.2	2,906.9	3,998.3	31.6	67.5	...	30,246.9
Adult (18+)	419.0	102.6	720.8	581.9	5,679.8	8,665.0	846.7	749.2	2,146.2	3,086.3	23.0	42.7	...	23,063.2
Youth (12-17)	50.0	12.3	75.8	61.8	562.5	904.1	97.4	96.8	260.3	318.1	3.0	7.0	...	2,449.2
1999														
Total	541.0	138.0	939.8	755.0	7,345.4	11,513.8	1,143.5	1,027.8	2,964.7	4,023.1	30.6	41.6	27.0	30,491.3
Adult (18+)	419.0	103.9	727.1	586.0	5,727.2	8,789.4	853.1	754.0	2,200.3	3,118.9	22.4	28.3	15.3	23,345.0
Youth (12-17)	48.2	12.4	76.1	61.1	549.6	914.7	98.2	96.5	264.3	318.5	2.9	4.0	3.2	2,449.6
1998-1999														
% Change														
Total	-0.8	0.7	0.4	0.2	0.3	1.1	0.5	0.3	2.0	0.6	-3.0	-38.4	...	0.8
Adult (18+)	-0.0	1.3	0.9	0.7	0.8	1.4	0.8	0.6	2.5	1.1	-2.4	-33.7	...	1.2
Youth (12-17)	-3.6	0.7	0.3	-1.2	-2.3	1.2	0.8	-0.3	1.5	0.1	-1.5	-43.1	...	0.0

... Figures not appropriate or applicable.

Source: Report entitled Annual Demographic Statistics, 1999, Statistics Canada, Demography Division. Populations as of July 1st; revised intercensal estimates from 1989 to 1990, final intercensal estimates for 1991 to 1995, final postcensal estimate for 1996, updated postcensal estimates from 1997 to 1999.



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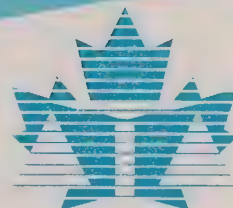
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## ALTERNATIVE MEASURES IN CANADA, 1998-99

by Cheryl Engler and Shannon Crowe

### Highlights

- Alternative measures are formalized programs across Canada by which offenders who would otherwise proceed to court are dealt with through non-judicial, community-based alternatives. Typical programs could include community service, personal service or financial compensation to a victim, apologies, or educational sessions.
- In 1998-99, 33,173 youth cases reached agreement to participate in alternative measures. For every 10,000 youth in Canada, 135 participated in alternative measures.
- Among jurisdictions, Alberta had the highest rate of youth assigned to alternative measures (384 per 10,000 youth). British Columbia (63) and Ontario (66) had the lowest participation rates.
- Males represented the majority of youth participating in alternative measures. Almost two-thirds (63%) of alternative measures cases involved males. However, this is lower than the proportion of cases heard in youth courts involving males (79%).
- Six out of ten youth assigned to alternative measures were 15 years of age or older.
- Aboriginal youth are disproportionately represented in alternative measures. While representing 4% of the youth population, Aboriginal youth accounted for 15% of alternative measures cases in jurisdictions that were able to provide data.
- For the second year in a row, youth who committed property-related crimes were most often referred to alternative measures. Over one-half (57%) of all cases in alternative measures were for theft under \$5,000.
- Similar to that found in 1997-98, the most frequent types of alternative measures interventions administered to youth in 1998-99 were community service (22%) and apologies (17%).
- The majority of youth in alternative measures successfully completed all measures agreed to (93%).
- Six jurisdictions were able to report data for adult alternative measures in 1998-99 (Prince Edward Island, Nova Scotia, New Brunswick, Saskatchewan, Alberta, and British Columbia). Among these jurisdictions, 13,226 cases reached agreement to participate in adult alternative measures. This is equivalent to a rate of 17 per 10,000 adults in the populations of these jurisdictions (this does not include Saskatchewan, as they could only report on 45% of all adult alternative measures cases).





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## INTRODUCTION

In recent years, highly publicized cases of violent crime have drawn attention to the way in which offenders are dealt with in the Canadian justice system and the effect of offender's actions on victims. While the crime rate has been decreasing (Tremblay, 1999), serious crime, especially crimes perpetrated by youth, remain a growing concern for the general public.

Concerns about youth crime are being examined by researchers who seek to understand what events lead people to commit crimes. Studies show that a history of offences, increasing in severity, often characterize adult-aged violent offenders. Some studies contend that re-offending can be prevented if the first offence (usually committed at a young age) is subject to restorative, rather than punitive, measures (Braun, 1996; MacKillop & Trevethan, 1997).

It is also argued that although introducing individuals to the justice system may succeed in showing them that there are consequences associated with breaking the law, the experience itself can have more negative than positive consequences. According to criminology 'labeling' theory, the psychological and social consequences of early deviance and subsequent participation in the justice system serve to 'label' individuals as 'offenders'. For youth, interaction with more experienced young offenders in correctional facilities can impede an offender's rehabilitation. It may also result in reinforcing a 'criminal' self-perception in the individual (Williams & McShane, 1994). This theory has aided the development of formal 'diversionary' methods of addressing the crimes of first-time offenders.

Diversion is a process by which individuals are dealt with through non-judicial, community-based alternatives rather than the formal judicial process. Currently, two forms of diversion are in use in Canada: *police discretion*, which is utilized primarily by police departments and does not involve the court system, and *alternative measures*, which are usually administered by the Crown. Alternative measures involves the individual accepting responsibility for the offence and consequences follow to ensure accountability. The purpose of this *Juristat* is to provide information on the administration of alternative measures in Canada, and its relative success in diverting individuals out of the court system. The report will focus on alternative measures for youth, but also includes a short section presenting data on adult alternative measures.

### Box 1: Police Discretion

Police discretion is an informal measure used by police officers to keep persons alleged to have committed a crime from being involved in the justice system. If the youth is a first-time offender and the offence is relatively minor, the police officer may decide not to lay formal charges. Instead, the youth may be required to apologize to the victim, or the police may escort the youth home to discuss the incident with his/her parents. The police may also make voluntary referrals to community agencies.

The primary data source for this report is the Alternative Measures Survey for Youth and Adults. Data were provided for alternative measures cases involving youth aged 12 to 17 and for adults 18 and older. This *Juristat* represents the first time data on alternative measures for adults have been collected at a national level. Data on alternative measures for 1998-99 for both youth and adults are described based on case commencement (the number of cases reaching agreement), the seriousness of the offence, the alternative measure assigned to the individual, and the case's outcome. Some comparisons to 1997-98 data will be made.

### What are alternative measures?

Broadly speaking, alternative measures aim to divert persons accused of less serious crimes out of the justice system. They are formalized programs through which persons who would otherwise proceed to court are dealt with through non-judicial, community-based alternatives. They offer individuals the opportunity to avoid the

consequences of a criminal record<sup>1</sup>, while holding them accountable in a manner that is visible to the community. From an operational standpoint, alternative measures are also meant to reduce the number of persons going through the traditional court system.

In order to proceed to alternative measures, the individual must acknowledge responsibility for the offence. Generally, individuals facing minor charges without previous records are eligible. Typical alternative measures programs include personal service to a victim, financial compensation to a victim, community service, educational sessions, personal or written apologies, and essays or presentations related to the offence.

Legislation governing youth alternative measures is set out in Section 4 of the *Young Offenders Act* (YOA) (see Box 2). There are proposals before the Parliament that may change how youth are treated in the criminal justice system, for example, the *Youth Criminal Justice Act* (YCJA) (see Box 3). Adult alternative measures legislation is contained in Bill C-41, passed in 1996. The provisions of this legislation are very similar to the ones for youth.

Alternative measures are administered differently from one jurisdiction to another. Alternative measures may be offered at the pre-charge stage, the post-charge stage, or both<sup>2</sup>. The delivery of alternative measures may be through government agencies such as probation services, through non-governmental organizations, or through Youth Justice Committees as allowed by section 69 of the *Young Offenders Act*. The types of alternative measures assigned to an individual may vary, as do eligibility requirements. As a result, any inter-jurisdictional comparisons of data on alternative measures should be made with caution.

## The alternative measures process

Figures 1 and 2 illustrate the alternative measures process for youth and for adults (for a more in-depth discussion of the alternative measures process, please see MacKillop, 1999). Generally, the alternative measures process comprises four basic steps: referral, authorization, agreement, and outcome.

### Box 3: The Youth Criminal Justice Act

It is expected that Bill C-3, the *Youth Criminal Justice Act* (YCJA), will be enacted to replace the *Young Offenders Act* (YOA). While the YOA permits the authorization of alternative measures programs by the Attorneys General in each of the jurisdictions, the YCJA goes further to encourage the use of alternative measures - to be known as Extrajudicial Sanctions. This will be done through a variety of means, including: a) creating a presumption that Extrajudicial Sanctions, rather than court proceedings, are to be used for non-violent first offenders, b) by requiring police officers, before laying a charge, to consider taking no further action, issuing a warning, administering a caution, or making a referral to a community based program, c) establishing as a principle that Extrajudicial Measures are often the most appropriate and effective way to address youth crime, and d) clarifying that access to Extrajudicial Sanctions does not need to be restricted to first time offenders. It is expected the implementation of the YCJA will lead to a decrease in the number of young persons being processed through youth court.

Department of Justice Canada: personal communication, April 2000.

### Box 2: Section 4 of YOA: The Legal Framework for the Operation of Alternative Measures Programs for Youth

Alternative Measures are authorized by the Attorney General in each province and territory in accordance with s.4 of the YOA.

- 4 (1) Alternative measures may be used to deal with a young person alleged to have committed an offence instead of judicial proceedings under this Act only if:
  - (a) the measures are part of a program of alternative measures authorized by the Attorney General or his delegate or authorized by a person, or a person within a class of persons, designated by the Lieutenant Governor in Council of a province;
  - (b) the person who is considering whether to use such measures is satisfied that they would be appropriate, having regard to the needs of the young person and the interests of society;
  - (c) the young person, having been informed of the alternative measures, fully and freely consents to participate therein;
  - (d) the young person has, before consenting to participate in the alternative measures, been advised of his right to be represented by counsel and been given a reasonable opportunity to consult with counsel;
  - (e) the young person accepts responsibility for the act or the omission that forms the basis of the offence that he is alleged to have committed;
  - (f) there is, in the opinion of the Attorney General or his agent, sufficient evidence to proceed with the prosecution of the offence; and,
  - (g) The prosecution of the offence is not in any way barred at law.
- (2) Alternative measures shall not be used to deal with a young person alleged to have committed an offence if the young person:
  - (a) denies his participation or involvement in the commission of the offence; or
  - (b) expresses his wish to have any charge against him dealt with by the youth court.

### Adult legislation

With respect to adults, the proclamation of Bill C-41 in September 1996 provided for the establishment of formal adult alternative measures programs. These programs are authorized pursuant to section 717 of the *Criminal Code (Canada)* and provisions are very similar to those for youth programs.

In most provinces and territories<sup>3</sup>, referrals to alternative measures programs originate from the Crown Attorney. However, the police play an important role in the overall delivery of alternative measures programs. When called to investigate a specific incident, police can exercise discretion, lay a charge, or recommend a referral to alternative measures.

<sup>1</sup> Under section 45(1d) of the *Young Offenders Act*, a record is retained and can be disclosed for up to two years. This may not occur in some instances of pre-charge alternative measures.

<sup>2</sup> Alternative measures programs for youth in Canada, with the exception of New Brunswick, Ontario and Yukon, are combined pre-and post-charge programs. In New Brunswick, Alberta and Manitoba, alternative measures are pre-charge only. In Ontario and Yukon, alternative measures are post-charge; although in Yukon, youth are occasionally referred at pre-charge.

<sup>3</sup> In Manitoba and the Northwest Territories, the Crown Attorney may delegate the authority to refer persons to alternative measures to the police. In New Brunswick, police officers are designated attorney general agents for the purpose of alternative measures, and in Quebec, all referrals come from the Provincial Director.



**Figure 1: Alternative Measures Process for Youth**

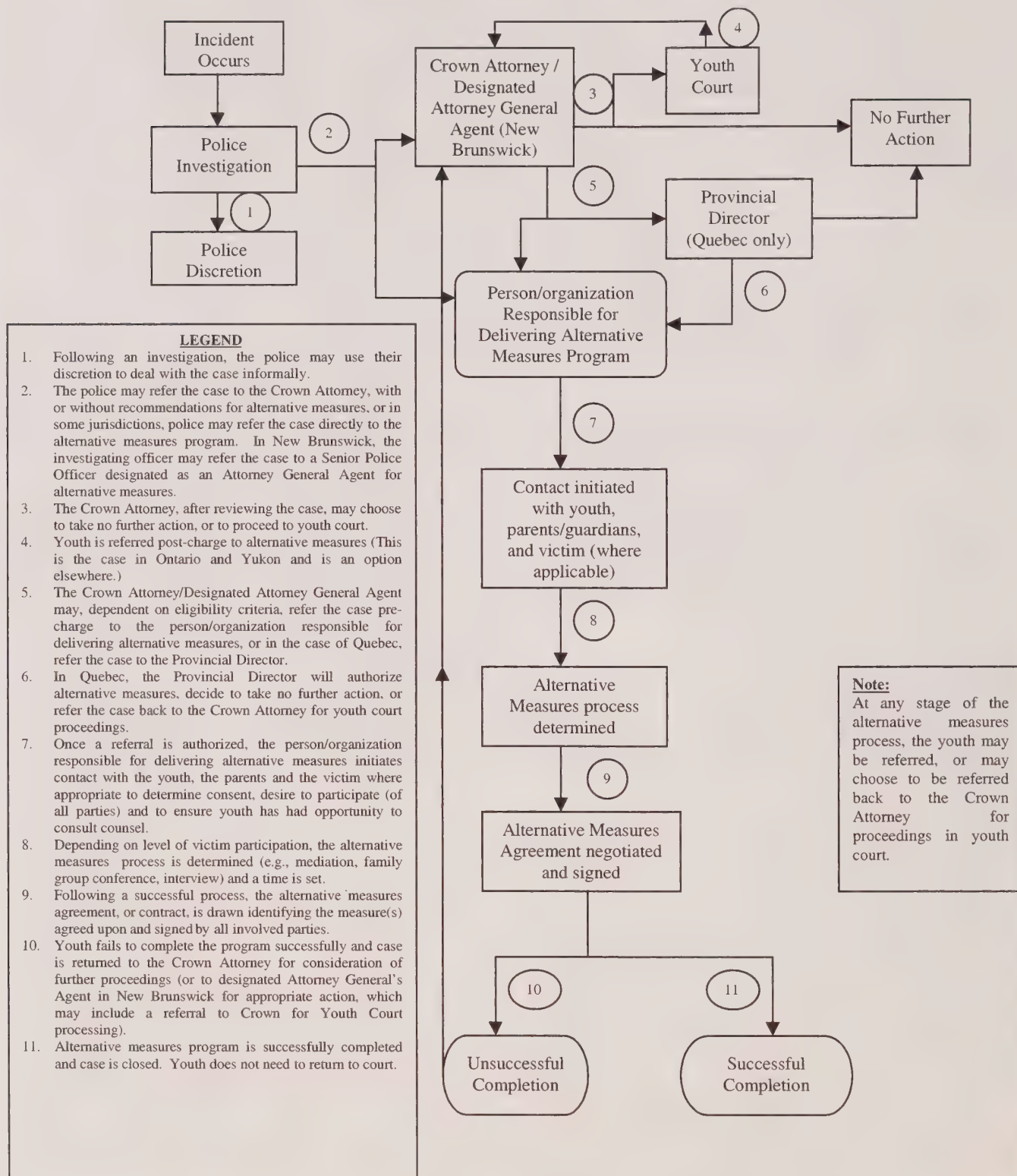
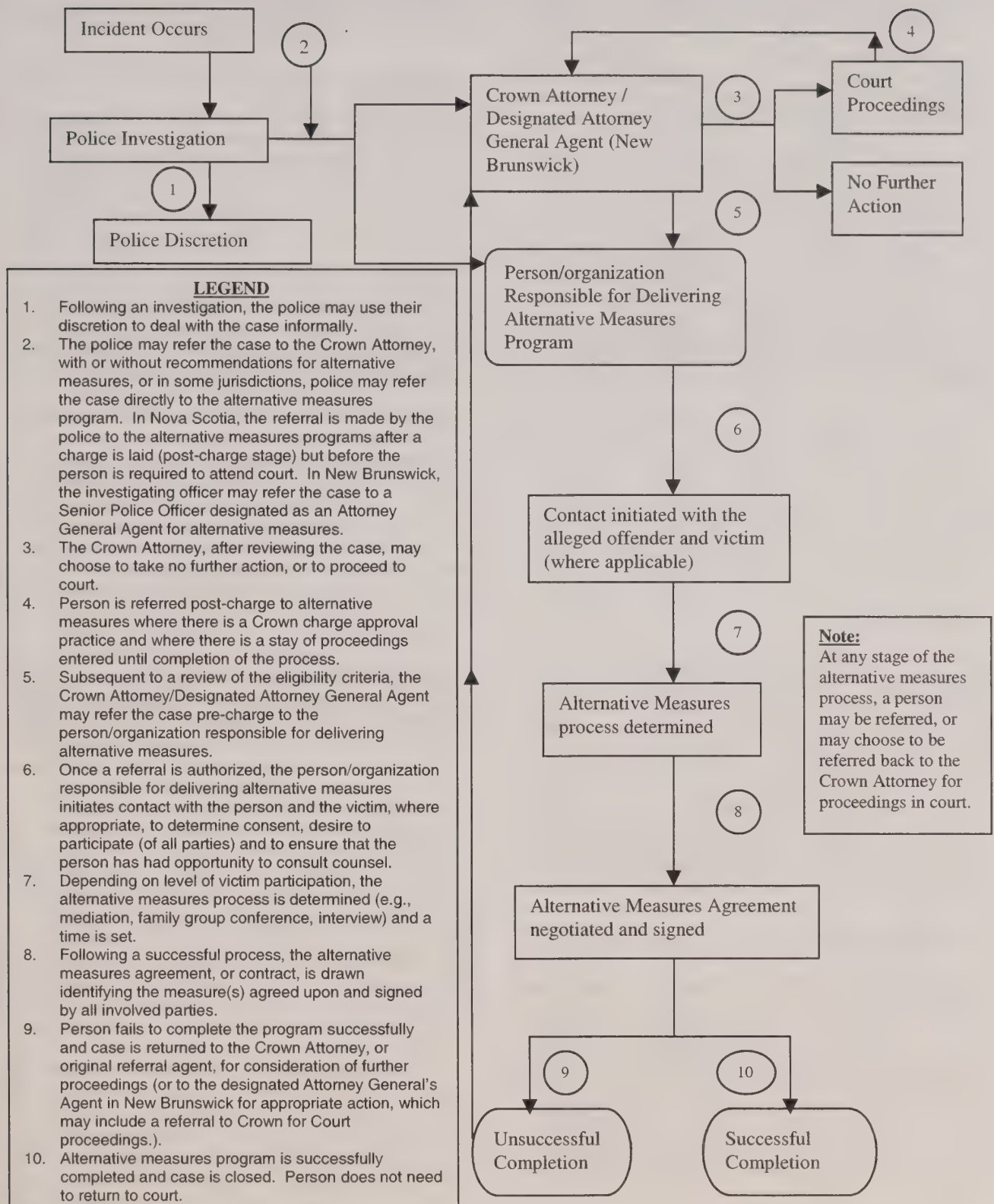


Figure 2: Alternative Measures Process for Adults





It is the referral, or authorization, of the Crown that determines whether an alternative measures program is appropriate for a given offender. The Crown reviews the case and determines whether there is sufficient evidence to support a charge. Then they decide if an alternative measures program is appropriate. Then they proceed with a referral to the appropriate organization. If the referral is at the post-charge stage, as is always the case in Ontario and is an option in other jurisdictions, the Crown will usually put the charge on hold (or, enter a stay of proceedings) until the process is complete.

Although victim participation is not a prerequisite to a person's participation in alternative measures, the victim's input is usually sought by the organization responsible for delivering alternative measures. The extent of victim participation in the alternative measures process and the role they play differs across the country and often within jurisdictions. In jurisdictions where the process of negotiating an alternative measure consists of an interview with the offender, the victim may not be required to be present. While victim participation is desirable in alternative measures, a victim's decision not to participate will not affect the eligibility of an offender for the program.

Once all parties agree to an alternative measures program, an agreement is developed. The terms and conditions of the agreement are tailored to fit the circumstances of the offence, taking into account the attitude and motivation of the person as well as the needs and concerns of the community and the victim. When the all of the terms of the alternative measures agreement are met, the case is 'completed successfully' and charges (if it is a post-charge referral), which were previously stayed, are withdrawn at another court appearance. A case can be partially closed when the terms of an agreement are only partially met.

Procedures for non-compliance vary across Canada. If a person is alleged to have committed a new offence while in alternative measures, this may not affect the person's right to continue with the current alternative measures, except in cases where custody is required. In a case where the person is no longer willing to complete the alternative measures, the supervising agency may close the case without any further action, or refer it back to the Crown. In this case, the Crown may consider another term in alternative measures, prosecute the case in court, or close the case and take no further action. The offender would, in this case, be prosecuted for the original offence, not a breach of the alternative measures agreement.

## ALTERNATIVE MEASURES FOR YOUTH

In 1998-99, 33,173 youth alternative measures cases reached agreement in Canada (see Table 1). In other words, for every 10,000 youth in Canada in 1998-99, 135 participated in alternative measures. This cannot be directly compared to the previous year because data for British Columbia were not available for 1997-98. If British Columbia is removed from the 1998-99 total, the number of cases reaching agreement would be 30,999, a slight decline from the 32,872 cases reaching agreement in 1997-98. However, excluding British Columbia, the rate increased from 134 youth per 10,000 in 1997-98 to 145 in 1998-99.

To place these rates in context, a comparison with police charge rates and youth court rates can be made. Whereas 135 youth per 10,000 participated in alternative measures, 439 youth per 10,000 were charged by police in 1998 (Tremblay, 1999) and 435 cases per 10,000 were brought to youth court in 1998-99 (CCJS, 2000)<sup>4</sup>.

### Box 4: Interpreting alternative measures

For the purpose of this report, analysis is based on cases that have reached agreement to participate in the alternative measures process. A case refers to one person's activity in alternative measures for an incident. An incident is a specific event wherein the person is alleged to have committed one or more related offences, with or without victims. "Related" refers to a sequence of criminal actions that occurred at the same location or in which one action led to the occurrence of another.

A more comprehensive analysis of alternative measures would be to examine the number of youth who received alternative measures out of the total number who were apprehended by the police. However, because alternative measures can be pre- or post-charge, the population of youth who had contact with the police is not currently available.

### Alberta had the highest rate of youth assigned to alternative measures

For the second year in a row, Alberta had the highest youth participation rate (384) in alternative measures<sup>5</sup> (see Figure 3). Saskatchewan had the second highest rate with 186 per 10,000 youth, followed by Quebec (165), and Prince Edward Island (155). British Columbia and Ontario had the lowest participation rates among the jurisdictions, with 63 and 66 youth participating in alternative measures per 10,000, respectively.

Table 1

### Youth Participation in Alternative Measures, 1997-98 and 1998-99, by Jurisdiction

	1997-98		1998-99	
	Number of cases	Rate <sup>1</sup>	Number of cases	Rate <sup>1</sup>
Newfoundland	780	150	502	101
Prince Edward Island	180	153	187	155
Nova Scotia	1,182	155	1,010	134
New Brunswick	718	115	726	117
Quebec	9,683	167	9,279	165
Ontario	7,294	81	6,000	66
Manitoba	1,934	201	1,509	155
Saskatchewan	1,731	179	1,796	186
Alberta	9,111	359	10,014	384
British Columbia	..	..	2,003	63
Yukon	47	168	42	140
Northwest Territories	212	312	105	150
Canada	32,872	134	33,173	135

<sup>1</sup> Rate is per 10,000 youth.

.. Figures not available.

Source: Canadian Centre for Justice Statistics, Alternative Measures Survey 1997-98 and 1998-99.

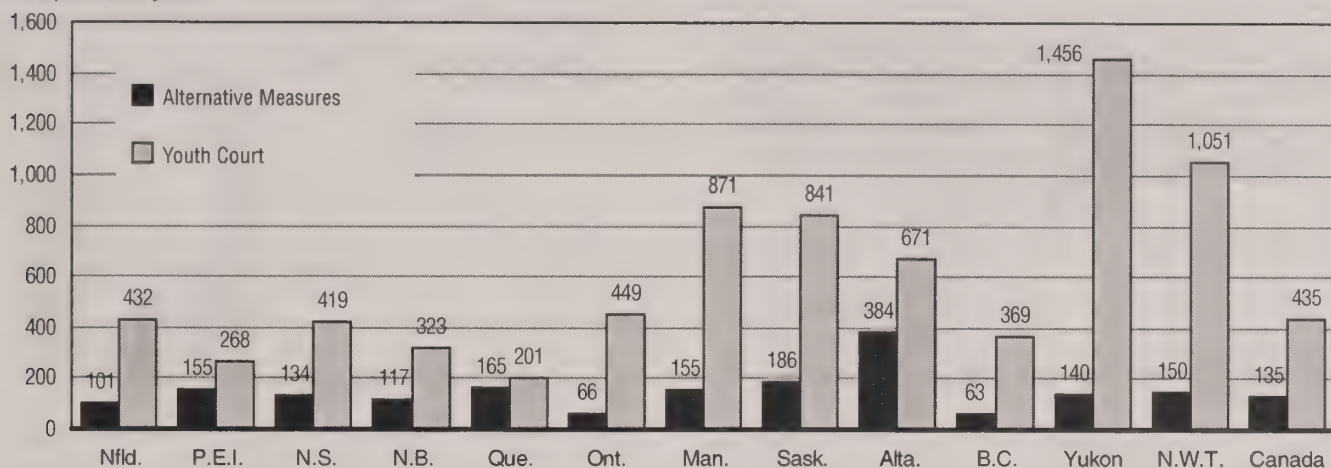
<sup>4</sup> We can examine differences among jurisdictions in those going through alternative measures versus those going to court. However, caution should be used because some jurisdictions use post-charge alternative measures, so there may be double counting in police and youth court data.

<sup>5</sup> Alberta's high rate of youth participation is partly explained by their use of caution letters, which accounted for 16% of their active caseload in 1998-99.

Figure 3

### Participation in Alternative Measures and Youth Court Caseload, 1998-99, by Jurisdiction

Rate per 10,000 youth



Sources: Canadian Centre for Justice Statistics, *Alternative Measures Survey (1998-99)* and the *Youth Court Survey (1998-99)*. Updated post-censal estimates for 1998, Demography Division, Statistics Canada.

Table 1 illustrates the differences in participation rates in alternative measures from 1997-98 to 1998-99. The participation rate increased in four jurisdictions. Alberta and Saskatchewan showed the largest increases in participation rates. Alberta had a participation rate of 384 per 10,000 in 1998-99 compared with 359 in 1997-98. Saskatchewan had a rate of 186 in 1998-99 compared with 179 in 1997-98. The participation rate decreased in the remaining seven jurisdictions. The Northwest Territories, Newfoundland and Manitoba showed the largest decreases in participation rates, with the rate for the Northwest Territories decreasing from 312 to 150 per 10,000, Newfoundland from 150 to 101, and Manitoba from 201 to 155 per 10,000.

As noted above, there were higher rates of youth brought to court than were sent to alternative measures in 1998-99 (Figure 3). The rate of youth brought to court (435) is about four times the rate of youth participating in alternative measures (135). For the second year in a row, the largest difference in participation rates occurred in Yukon, which had the highest rate of youth being brought to court across Canada (1,456 per 10,000), but a fairly low youth participation rate in alternative measures (140). In contrast, Quebec had the most similar rates for youth cases heard in court and youth participation in alternative measures (201 and 165, respectively).

#### Age and sex of youth in alternative measures<sup>6</sup>

Males represent the largest proportion of youth participating in alternative measures. Males accounted for almost two-thirds (63%) of the alternative measures cases, while females made up the remaining 37% of cases. This is similar to 1997-98. However, the proportion of females participating in

alternative measures is almost double the proportion of female cases heard in youth courts (21%) (CCJS, 2000), and police-reported incidents by female youth (23%) (CCJS, 1999).

The largest proportion of youth participating in alternative measures were 15 years of age (21%)<sup>7</sup>. Youth 16 years of age or 17 and older each represented 20% of youth in alternative measures. Youth aged 14 represented 19%. Smaller proportions of youth were 13 or 12 or under (13% and 7%, respectively). For the second year, six out of ten youth assigned alternative measures were 15 years of age or older. This is younger than cases heard in youth court (26% of all youth were 17 years of age) (CCJS, 2000).

The involvement of male youth in alternative measures tended to increase with age, while female involvement peaked at 15 years of age (see Figure 4). Fourteen percent of youth participating in alternative measures were males 17 years of age or older. Females in alternative measures were slightly younger than their male counterparts, with 9% of youth being females aged 15. These proportions are consistent with 1997-98.

#### Aboriginal youth are over-represented among those in alternative measures

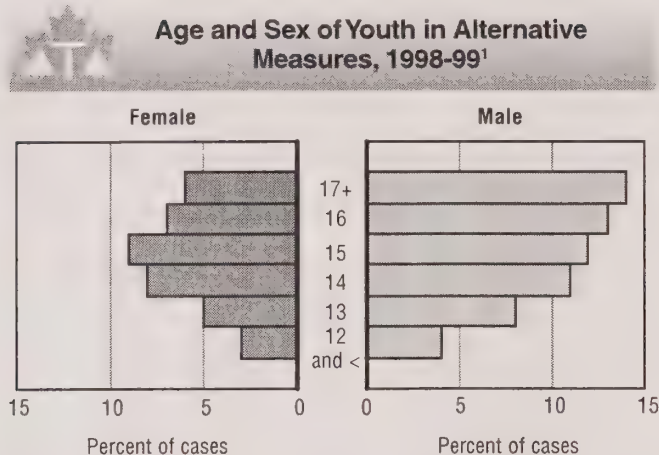
Aboriginal youth are disproportionately represented at all levels of the criminal justice system, including alternative measures programs. While representing 4% of the youth population, Aboriginal youth accounted for 15% of alternative

<sup>6</sup> Data on age and sex were not available for Quebec.

<sup>7</sup> The age of the young person is recorded at the start date of alternative measures.



Figure 4



<sup>1</sup> Data unavailable for Quebec.

Source: Canadian Centre for Justice Statistics. Alternative Measures Survey (1998-99).

measures cases in jurisdictions that were able to provide data<sup>8</sup>. This is slightly higher than in 1997-98 (12%). The fact that Aboriginal youth are over-represented in alternative measures programs could be interpreted as a positive development, demonstrating that they are being diverted out of the formal court system. Since data on Aboriginal status are not available from the courts, it cannot be determined whether Aboriginal youth are over-represented among those going through the court system. However, there is an even larger over-representation of Aboriginal youth among those in custody (approximately one quarter of admissions to custody are Aboriginal) (Leonard, Olah & Dilworth, 1999).

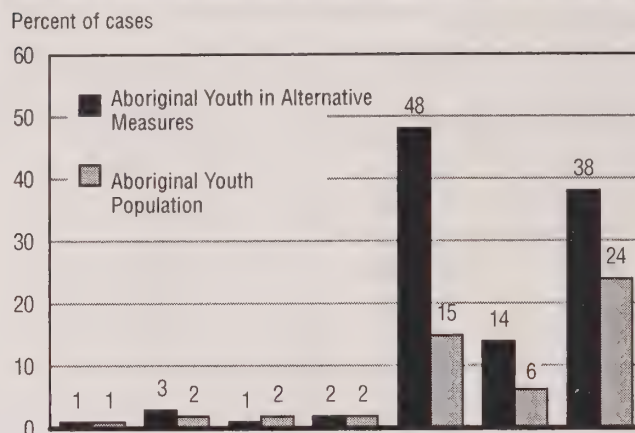
Among those jurisdictions that provided data, the largest proportion of Aboriginal youth participating in alternative measures occurred in Saskatchewan, which made up 48% of alternative measures cases assigned (see Figure 5). This proportion is more than three times higher than Saskatchewan's percentage of Aboriginal youth (15%). In addition to Saskatchewan, both Alberta and Yukon had much higher proportions of Aboriginal youth in alternative measures than their relative proportion of Aboriginal youth in the population. While Aboriginal youth accounted for 6% of the youth in Alberta, 14% of youth participating in alternative measures were Aboriginal. While 24% of Yukon's youth population are Aboriginal, 38% of youth participated in alternative measures were Aboriginal.

**For the second year in a row, over one-half of alternative measures cases involved theft under \$5,000<sup>9</sup>**

In the majority of alternative measures cases for which data were available, the most serious offences were *property-related* (73%, up from 70% in 1997-98) (see Table 2). Eight percent of alternative measures cases involved *violent offences*, while 15% had committed *other Criminal Code* offences (i.e., mischief, disturbing the peace). The remaining 4% were federal statute offences or other offences.

Figure 5

**Proportion of Aboriginal Youth in Alternative Measures and Aboriginal Youth Population, by Jurisdiction, 1998-99<sup>1,2</sup>**



<sup>1</sup> Data unavailable for Newfoundland, Quebec, Ontario (youth aged 12-15), Manitoba, British Columbia and the Northwest Territories.

<sup>2</sup> Unknown Aboriginal Status: Prince Edward Island (0%); Nova Scotia (19%); New Brunswick (11%); Ontario (youth aged 16-17) (0%); Saskatchewan (18%); Alberta (44%); Yukon (0%).

Source: Canadian Centre for Justice Statistics, Alternative Measures Survey (1998-99).

**Box 5: Description of crime categories**

**Violent offences include:** murder, manslaughter, infanticide, criminal negligence causing death, attempted murder, sexual offences, assault, robbery, kidnapping, extortion.

**Property offences include:** break and enter, motor vehicle theft, theft over \$5,000, theft under \$5,000, arson, have stolen goods, fraud.

**Other Criminal Code offences include:** mischief, disturbing the peace, prostitution, gaming and betting, counterfeiting, obstructing a public peace officer, trespass at night, threatening/harassing phone calls, conspiracies, dangerous operation, other *Criminal Code* traffic violations.

**Federal statutes include:** drug offences, Bankruptcy Act, Income Tax Act, Canada Shipping Act, Public Health Act, Customs Act, Young Offenders Act, Immigration Act, other Federal Statutes.

**Other includes:** bail violations, escape custody, failure to appear, breach of probation, offences against the administration of law and justice, failure to provide blood or breath sample, explosives, firearm transfers.

<sup>8</sup> Data were not available for Newfoundland, Quebec, Ontario (12-15 years), Manitoba, British Columbia and the Northwest Territories. Therefore, the population data from the above-mentioned jurisdictions were also excluded from the calculation of proportions. In the jurisdictions where Aboriginal status data were available, the proportion of 'not stated' ranged from 0% in Prince Edward Island and Yukon to 44% in Alberta.

<sup>9</sup> Quebec and Ontario (16-17) were unable to provide data for the "most serious offence".

Table 2

## Proportion of Youth Cases Reaching Agreement in Alternative Measures by Most Serious Offence and Sex, 1998-99<sup>1</sup>

	Total Number	Violent	Property	Other Criminal Code	Federal Statutes	Other
		%				
<b>Newfoundland</b>						
Total	719	5	55	20	4	16
Male	..	..	..	..	..	..
Female	..	..	..	..	..	..
<b>Prince Edward Island</b>						
Total	187	17	67	11	5	1
Male	131	12	66	15	7	1
Female	56	29	70	2	-	-
<b>Nova Scotia</b>						
Total	1,010	6	69	13	4	8
Male	577	6	63	18	6	8
Female	433	7	77	6	1	9
<b>New Brunswick</b>						
Total	726	11	61	21	1	6
Male	540	12	55	25	1	7
Female	186	10	76	9	-	5
<b>Ontario (12-15)</b>						
Total	4,818	5	82	10	-	2
Male	2,874	5	77	16	-	2
Female	1,944	4	91	3	-	2
<b>Manitoba</b>						
Total	1,509	4	80	14	2	-
Male	898	4	74	19	3	-
Female	611	5	89	6	-	-
<b>Saskatchewan</b>						
Total	1,794	12	61	27	-	-
Male	1,113	10	57	32	-	-
Female	681	15	66	19	-	-
<b>Alberta</b>						
Total	10,014	10	71	13	2	4
Male	6,441	9	68	18	3	3
Female	3,573	11	78	7	1	4
<b>British Columbia</b>						
Total	2,003	11	74	14	1	1
Male	1,280	10	70	18	1	1
Female	723	12	82	6	-	-
<b>Yukon</b>						
Total	42	10	57	7	7	19
Male	24	4	54	8	13	21
Female	18	17	61	6	-	17
<b>Northwest Territories</b>						
Total	87	5	77	19	-	-
Male	73	3	81	16	-	-
Female	14	14	57	28	-	-
<b>Canada</b>						
Total	22,738	8	73	14	1	3
Male	13,850	8	69	18	2	3
Female	8,169	9	81	6	1	3

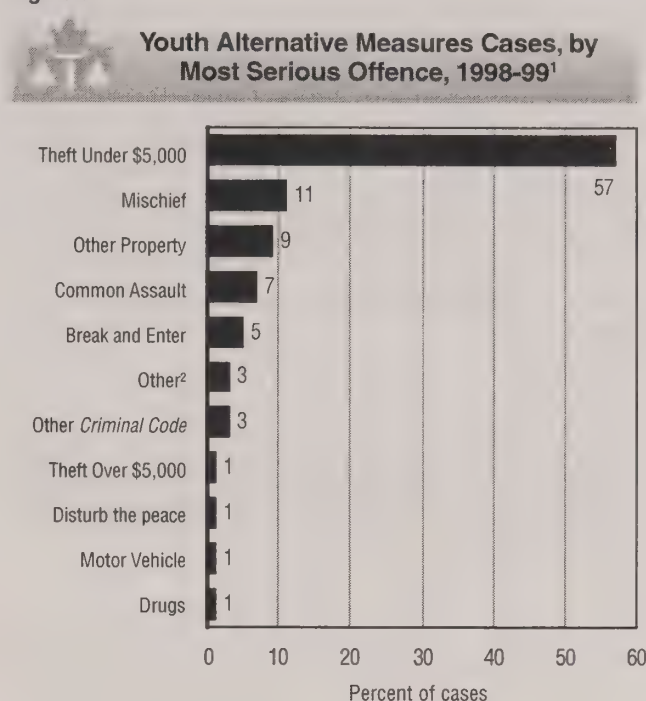
Note: Due to rounding, total may not add up. Gender breakdown unavailable for Newfoundland.

<sup>1</sup> Data unavailable for Quebec and Ontario (16-17).

Source: Canadian Centre for Justice Statistics, Alternative Measures Survey, 1998-99.

Figure 6 provides a breakdown of the most common offences. The largest proportion of alternative measures cases involved theft under \$5,000 (57%). The next largest proportions were for mischief, other property offences, common assault, and break and enter (11%, 9%, 7%, and 5%, respectively).

Figure 6



Note: Due to rounding, totals may not add up.

<sup>1</sup> Data unavailable for Quebec and Ontario (16 and 17 year olds).

<sup>2</sup> Other<sup>2</sup> includes offences such as offences against the administration of law and justice, impaired operation/related violations, firearms, other offensive weapons, etc.

Source: Canadian Centre for Justice Statistics, Alternative Measures Survey (1998-99).

While violent offences are not commonly diverted through alternative measures, jurisdictions differed in the proportion of alternative measures cases involving violent offences. Whereas the most serious offences for 8% of all cases involved a violent offence, in Prince Edward Island, 17% of cases involved a violent offence. Prince Edward Island and Yukon also had higher than average proportions of violent offences committed by females participating in alternative measures (29% and 17%, respectively). In both cases, almost all of these violent offences were charges of common assault, the least serious of offences grouped under the category.

Manitoba had the lowest proportion of youth in alternative measures for violent offences (4%) and the highest proportion for property offences (80% compared to 73% at the national level). This is consistent with 1997-98 data. The lowest proportion of cases with property-related offences occurred in Newfoundland (55%). Newfoundland had a higher proportion of 'other' crimes (16% compared to 3% nationally). These points seem to highlight the fact that alternative measures is administered differently in the various provinces and territories.



## The majority of youth participating in alternative measures were first-time offenders

On the whole, youth participating in alternative measures had no prior criminal or alternative measures experience. Of jurisdictions that provided data on prior criminal history<sup>10</sup>, less than 1% of youth participating in alternative measures had prior findings of guilt. Similarly, only 2% of youth assigned to alternative measures had prior experience in formal diversion. Both of these statistics are consistent with data from 1997-98.

Of the youth participating in alternative measures, most had committed only one offence (89%) in relation to the current case<sup>11</sup>. Nine percent had committed two offences, and 3% had committed more than two offences. This was similar among the jurisdictions that provided the data. This is also consistent with 1997-98.

## Offences were most often committed against a business

Information on the type of victim of youth who were assigned alternative measures was available from a few jurisdictions<sup>12</sup>. For the jurisdictions that reported data, 44% of victims were businesses, 39% were offences against persons, 9% were against public property, and 2% were against private property. The remaining 7% of the cases were victimless offences (there was no identifiable victim). This was similar to the findings from 1997-98.

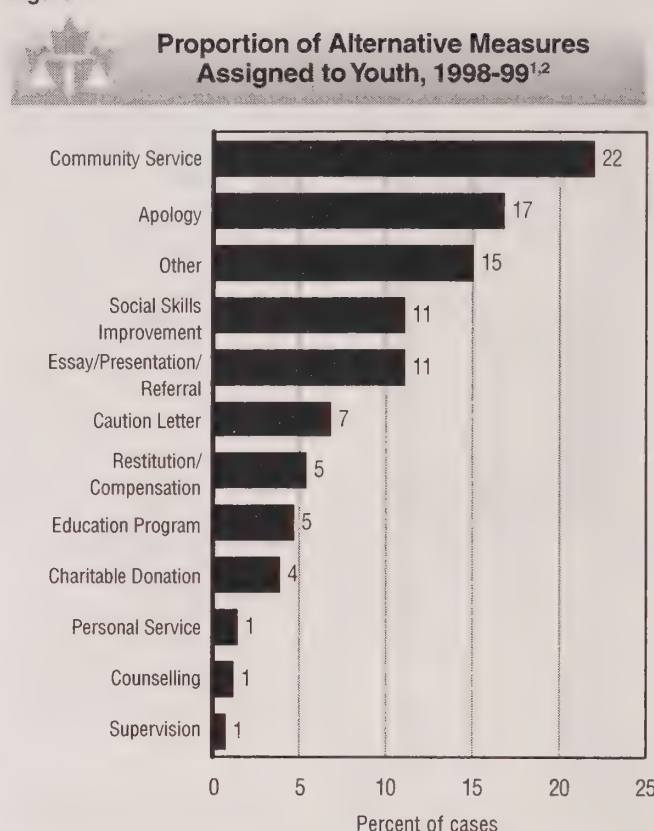
In Newfoundland, Prince Edward Island, and New Brunswick, about one-half of victims were businesses (52%, 45%, and 43%, respectively). However, in Saskatchewan<sup>13</sup>, and Yukon, the largest proportions of victims were a person (50% and 38%, respectively). A smaller proportion of victims in these two jurisdictions were businesses (39% and 29%, respectively).

Data on victim involvement was available from only two jurisdictions: Prince Edward Island and Manitoba. In these two jurisdictions the largest proportions of victims were not involved in the alternative measure process (72% and 69%, respectively).

## Community service was the most common alternative measure administered to youth<sup>14</sup>

The alternative measures agreement identifies the terms and conditions of the young persons' participation in alternative measures. A youth can be assigned more than one alternative measure intervention. It is possible that some alternative measures, such as apologies, were given in conjunction with other types of alternative measures. As illustrated in Figure 7, the most frequent type of alternative measure administered to youth for those jurisdictions that provided data was community service (22%), followed by an apology (17%) and social skills improvement (11%). Other types of alternative measures were given in 15% of cases. Supervision, personal service and counselling tended to be given the least frequently (1% each). This is similar to 1997-98, when the most frequent types of alternative measures were community service, apologies, and 'other' alternative measures.

Figure 7



<sup>1</sup> More than one type of alternative measures can be recorded per case.

<sup>2</sup> Data unavailable for Ontario (16 and 17 year olds), and British Columbia and excludes 33% of cases for which the type of alternative measures is unknown. This is primarily due to a large number of unstated cases from Ontario (12-15 year olds) and Alberta.

Source: Canadian Centre for Justice Statistics. Alternative Measures Survey (1998-99).

Some variations between jurisdictions were identified, notably the use of supervision and caution letters. Yukon continued to administer more supervision than any other alternative measure (30% in 1998-99 and 32% in 1997-98). Supervision was the most widely administered measure in Prince Edward Island, up from 17% in 1997-98 to 27%. In addition, all youth alternative measures cases are supervised in New Brunswick. Caution letters continued to be the most common measure administered in Manitoba (with 24% in 1998-99 and 30% in 1997-98).

<sup>10</sup> Data on prior findings of guilt were available from Manitoba, Alberta, British Columbia and Yukon. In addition to these jurisdictions, data on prior alternative measures were also available from New Brunswick.

<sup>11</sup> Data were available from Prince Edward Island, Alberta, British Columbia and Yukon.

<sup>12</sup> Data were available for Newfoundland, Prince Edward Island, New Brunswick, Saskatchewan and Yukon. The type of victim is based on the most serious offence. In cases where the offence took place in a small business, which was housed in a private dwelling, this is scored as a place of business.

<sup>13</sup> In Saskatchewan, 'Private Property' victims are included in the 'Against Person' category.

<sup>14</sup> Type of alternative measures data were unavailable for Ontario (16-17) and British Columbia.

## Box 6: Manitoba - a closer look

Only Manitoba reported to this year's survey in micro-data format. Because micro-data is disaggregated, it is possible to make more comparisons. One possible analysis permitted here is the examination of the type of interventions that youth received by the offence they committed. Of the offence categories that were associated with each of the 1,509 cases reaching agreement in Manitoba, there are six categories that did not contain enough to report on. Therefore, analysis is limited to the remaining eight. It should be noted that particular alternative measures programs are not necessarily assigned to particular offences. However, it is interesting to examine which offence types tend to receive which interventions the most often.

As discussed in the text, the largest proportion of youth in Manitoba received an apology as their intervention. However, differences occurred by offence type. Over a quarter of all youth who committed break and enters or common assaults received an apology as one of their alternative measures (27% and 25%, respectively). Over forty percent of youth who committed theft <\$5,000 were assigned caution letters (41%). Just under a quarter of those youth who committed other property offences received essays, presentations, or referrals (22%). Those youth who had committed drug offences were also assigned essays, presentations or referrals over a quarter of the time (30%).

The most frequent intervention given in Nova Scotia, New Brunswick and Saskatchewan was an apology (31%, 27% and 38%, respectively). In the Northwest Territories, the majority of alternative measures involved restitution and/or compensation (67%). In Newfoundland, the most common intervention was the 'other' category (33%).

Community service and personal service hours were collected to determine the amount of time that a youth is assigned to those interventions<sup>15</sup>. For the most part, youth were not assigned more than 50 hours of service, and there were no substantial differences noted between males and females. For those jurisdictions that provided data and assigned youth to community service, 94% of youth were assigned between 1 and 49 hours of service. Similarly, the largest proportion of personal service assigned was for 1-49 hours (94%).

Information on the amount of money that youth were required to pay for restitution/compensation and charitable donations was also collected<sup>16</sup>. Among those jurisdictions that were able to provide data, one-third of youth assigned to restitution/compensation was ordered to pay less than \$50 (33%). A further one third was ordered to pay \$150 or more (31%). This is similar to 1997-98. Of the cases where youth were required to donate to a charity, 66% were required to pay less than \$50.

## The majority of alternative measures cases were successfully completed

Youth may be considered unsuccessful in alternative measures if they do not complete the terms and conditions of the agreement<sup>17</sup>. Of the cases that were closed in 1998-99, 93% of youth successfully completed all measures agreed to<sup>18</sup> (see Table 3). Another 1% partially completed their measures. Approximately equal proportions of males and females successfully completed alternative measures (92% and 93%, respectively). The proportion of successful completions is up from 89% 1997-98. While the majority of alternative

measures cases were successfully completed across all reporting jurisdictions, successful completions varied among the provinces and territories. The proportion of youth successfully completing alternative measures ranged from 85% in Yukon to 95% in Newfoundland and New Brunswick.

## Box 7: Manitoba - another look

Of the cases closed in 1998-99 in Manitoba, 90% of youth successfully completed all measures agreed to. A successful outcome would mean that all terms and conditions for a particular case have been completed. With the micro-data provided by Manitoba, it is also possible to examine successful completion of specific interventions.

Among the 1,760 cases closed, 2,300 interventions were given. These were most often caution letters, apologies and essays/presentations/referrals. Although 90% of cases were successfully completed, 99% of the individual interventions were completed. Therefore, in most cases at least some interventions are completed.

Table 3

## Outcome of Closed Cases in Alternative Measures for Youth, 1998-99<sup>1</sup>

	Total number	Completed successfully	Partially Completed	Not successfully
		%		
Newfoundland	666	95	2	4
Prince Edward Island	145	92	4	3
Nova Scotia	967	90	-	10
New Brunswick	771	95	-	5
Ontario	6,277	94	1	5
Manitoba	1,760	90	-	10
Saskatchewan <sup>2</sup>	1,794	89	4	8
Yukon	36	85	3	12
<b>Total</b>	<b>12,416</b>	<b>92</b>	<b>1</b>	<b>6</b>

<sup>1</sup> Data unavailable for Quebec, Alberta, British Columbia and the Northwest Territories. Outcome not stated for between 1-8% among jurisdictions who provided data.

<sup>2</sup> Saskatchewan provides information for this survey from two databases. Only one system was able to report on this variable.

Source: Canadian Centre for Justice Statistics, Alternative Measures Survey, 1998-99.

<sup>15</sup> Data on community service hours were only available from Newfoundland, Prince Edward Island, Manitoba, Saskatchewan and Yukon. However, Prince Edward Island and Yukon were unable to provide data for personal service hours.

<sup>16</sup> Data on restitution/compensation were only available from Prince Edward Island, Manitoba, Saskatchewan and Yukon. However, Manitoba does not use charitable donations.

<sup>17</sup> This includes cases when the youth: cannot be located; shows an unwillingness to complete the terms and conditions of the alternative measures agreement; or refutes his/her earlier acceptance of the responsibility or involvement in the offence(s).

<sup>18</sup> Data were not available for Quebec, Alberta, British Columbia and the Northwest Territories.



Some data were also available for the number of cases that were referred back to the Crown<sup>19</sup>. Among the seven jurisdictions who provided information, 796 cases were referred back to the Crown in 1998-99. This number cannot be directly compared to the number of cases that reached agreement in 1998-99, since it is possible that the case which was referred reached agreement in a different year. However, it is clear that a very small proportion of alternative measures cases are referred back to the Crown (less than 5%).

## ALTERNATIVE MEASURES FOR ADULTS

This report is the first time that an attempt to collect data on adult alternative measures at a national level was made. Only six of the 12 jurisdictions were able to respond for 1998-99, therefore analysis for this section is limited, and does not illustrate adult alternative measures across Canada. Jurisdictions that provided data were Prince Edward Island, Nova Scotia, New Brunswick, Saskatchewan, Alberta and British Columbia. These provinces represent 32% of the Canadian adult population.

In total, 13,226 cases reached agreement for adult alternative measures in 1998-99 for the six reporting jurisdictions<sup>20</sup>.

The rate of adults in alternative measures was 17 people per 10,000 adults (for the population in the five jurisdictions, excluding Saskatchewan). As shown in Table 4, the rates of adults in alternative measures ranged from 4 per 10,000 adults in New Brunswick to 39 in Alberta.

Table 4

### Adult Participation in Alternative Measures, 1998-99, by Jurisdiction<sup>1</sup>

	Number of cases	Rate <sup>2</sup>
Prince Edward Island	65	6
Nova Scotia	588	8
New Brunswick	261	4
Saskatchewan <sup>3</sup>	547	...
Alberta	8,412	39
British Columbia	3,353	11
<b>Total</b>	<b>13,226</b>	<b>17</b>

... Figures not applicable or appropriate.

<sup>1</sup> Data unavailable for Newfoundland, Quebec, Ontario, Manitoba, Yukon, Northwest Territories.

<sup>2</sup> Rate is per 10,000 adults.

<sup>3</sup> Saskatchewan's rate could not be calculated because data are only available for approximately 45% of the total number of cases.

Source: Canadian Centre for Justice Statistics, Alternative Measures Survey, 1998-99.

Similar to youth, larger proportions of adult males than females participated in alternative measures. Adult males represented 61% of alternative measures cases reaching agreement for the six jurisdictions.

Young adults comprised the largest proportion of adults participating in alternative measures. Close to one-half (49%) of all alternative measures cases involved adults between

18-24. Those between 25-34 years of age were the second most represented group (21%), followed by those aged 35-44 (14%). Only 8% of adults assigned alternative measures were 45-54 years of age, and the remaining 7% were 55 and older. In contrast, in adult court the largest proportion of adults were 25-34 years of age (32%) (Roberts & Grimes, 2000).

As was found with youth, Aboriginal adults were disproportionately represented among those in alternative measures programs. While representing 3% of the adult population, Aboriginal adults accounted for 11% of alternative measures cases in the six jurisdictions<sup>21</sup>.

### Property offences were the most common offences committed by adults in alternative measures

The most serious offence (MSO) for two-thirds of adults participating in alternative measures were property offences (67%). Thirteen percent of cases involved violent offences, 17% "other" *Criminal Code* violations (including mischief and disturbing the peace), 2% federal statute offences, and the remaining 2% involved "other" offences. This was similar to youth in alternative measures. However, a lower proportion of adult cases involved property offences (67% versus 73%), and a higher proportion involved violent offences (13% versus 8%).

As illustrated in Figure 8, similar to youth alternative measures, the most common offence was theft under \$5,000, which accounted for just over one-half of all MSOs (55%). Other common offences were common assault, other property offences and mischief (12%, 10% and 10%, respectively).

### Supervision the most common alternative measure administered to adults<sup>22</sup>

The largest proportion of adults was assigned supervision as one of their alternative measures interventions (44%). Other common interventions were apologies (19%) and community service (12%). Charitable donations (2%), essay/presentation/referral (2%) and caution letters (1%) were the least frequently assigned interventions for adults.

### Most adults successfully completed alternative measures<sup>23</sup>

Of the adult alternative measures cases closed during 1998-99 in the five jurisdictions that provided data, 87% were completed successfully. A further 6% were partially completed. Only 7% were unsuccessful. Among the five jurisdictions, the proportion of cases that were successfully completed ranged from 84% in British Columbia to 93% in Nova Scotia and New Brunswick.

<sup>19</sup> Data were available for Prince Edward Island, Nova Scotia, Ontario (12-15), Manitoba, Saskatchewan and the Northwest Territories. In addition, Quebec provided the number of cases referred back to the Crown, but no information on sex or age.

<sup>20</sup> The number for Saskatchewan represents about 45% of the total number of adult cases in alternative measures. Saskatchewan has other agencies that deal with adult alternative measures that were not able to report data.

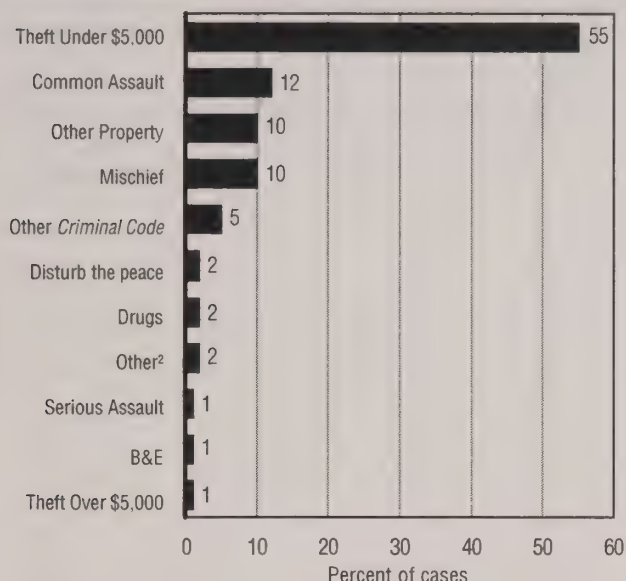
<sup>21</sup> The proportion of 'not stated' ranged from 0% in Prince Edward Island and British Columbia to 40% in Alberta.

<sup>22</sup> Data were not available for Alberta.

<sup>23</sup> Data were not available for Alberta.

Table 8

## Proportion of Alternative Measures Assigned to Youth, 1998-99<sup>1,2</sup>



<sup>1</sup> Data for Prince Edward Island, Nova Scotia, New Brunswick, Saskatchewan, Alberta and British Columbia.

<sup>2</sup> 'Other' includes offences such as offences against the administration of law and justice, impaired operation/related violations, firearms, other offensive weapons, etc.

Source: Canadian Centre for Justice Statistics. Alternative Measures Survey (1998-99).

## METHODOLOGY

### Alternative Measures (AM) Survey

The information presented in the *Juristat* uses data from the Alternative Measures Survey conducted by the Canadian Centre for Justice Statistics. The survey provides statistical information on the administration of alternative measures in Canada. The survey collected aggregate or microdata, depending on the reporting capacities of jurisdictions.

While there was substantial variation in coverage in some data elements, the youth survey received a 100% response rate from all jurisdictions. Six jurisdictions provided data on adult alternative measures. Those jurisdictions are: Prince Edward Island, Nova Scotia, New Brunswick, Saskatchewan, Alberta, and British Columbia. There are two years of youth AM data available (reference years 1997-98 and 1998-99). This is the first year that adult AM data have been collected and analyzed at this level.

In regards to youth data, all jurisdictions (with the exception of Manitoba, who sent micro-data) reported their data in aggregate format. As far as adult data is concerned, all reporting jurisdictions sent aggregate data. None of the

jurisdictions reported full data for all survey variables for either the youth or adult surveys. The quantity and nature of missing data varied from one jurisdiction to another. The amount of detail that any given jurisdiction reported also varied between jurisdictions. Consequently, data can be 'missing' at more specific levels because of the collapsing of data into broader categories. This can have implications at the analytical stages and can affect data comparability between survey respondents. For the reasons above, the reader should be aware that some of the results published in this *Juristat* are not nationally representative and should be used with caution.

The unit of analysis that is used in the Alternative Measures survey is the case. A case refers to one person's activity in the alternative measures program for one incident. An incident is a specific event wherein the person is alleged to have committed one or more related offences, with or without victims. "Related" refers to a sequence of criminal actions that occur at the same location or where one action led to the occurrence of another. The focus of this survey is on cases for which an agreement for alternative measures has been reached (i.e., when a person agrees to participate in the alternative measures process, according to the conditions and obligations contained therein).

Offence groupings are based on the seriousness of an offence according to the type of offence and its potential impact on the person as per the Uniform Crime Reporting (UCR) Survey's offence seriousness index. A single "most serious offence" (MSO) is counted for each case reaching agreement<sup>24</sup>. In a case where there is only one offence, that offence is the most serious. In a case where there is more than one offence, the most serious offence severity scale determines the most serious offence.

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<sup>24</sup> Ontario (12-15 year olds) and Newfoundland were unable to identify an MSO for each case in their data for 1998-99. Therefore, all offences were included. The impact of this may be an over-representation of some of the less serious offences.



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# Juristat

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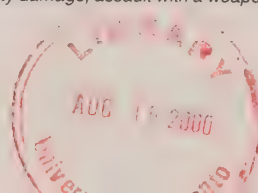
## SENTENCING OF YOUNG OFFENDERS IN CANADA, 1998/99

by Trevor Sanders

### HIGHLIGHTS

- A relatively small number of offences represented a large proportion of convicted youth cases. The ten most commonly sentenced offences<sup>1</sup> accounted for 79% of the sentencing caseload. Two administrative offences, failure to appear and failure to comply with a disposition, accounted for one-quarter of cases with guilty findings.
- A term of probation was the most serious disposition imposed in 48% of youth cases.
- Thirty-five percent of cases with guilty findings in 1998/99 resulted in custody as the most serious disposition (18% open custody and 17% closed custody).
- The number of youth receiving custody dispositions in Canada has varied little since 1992/93.
- Repeat offenders, offenders convicted on multiple charges and offenders with previous custody dispositions were more likely to receive a term of custody.
- On an offence by offence basis, controlling for prior convictions, males were more likely than females to receive a custody sanction.
- The majority of custody terms were for three months or less. Fully 92% of secure custody orders and 94% of open custody orders were for terms of six months or less.
- A majority of repeat offenders (60%) committed a new offence within six months of completing their previous disposition.
- In general, repeat offenders were sentenced more harshly than first-time offenders.
- Young offenders were less likely than adult offenders to receive a term of custody as the most serious disposition for the ten most common offences (except failure to comply with a disposition which was excluded from the analysis). The differences in custody rates varied by offence.
- Young offenders were more likely to be sentenced to longer terms of custody than adults for the same offence. For eight of the nine common offences examined, youths were more likely than adults to get a custody sentence of greater than one month. Only for robbery were youths more likely than adults to receive a term of custody of one month or less.

<sup>1</sup> The ten most commonly sentenced offences in youth court in 1998/99 were: failure to comply with a disposition (YOA), theft under \$5000, break and enter, failure to appear, minor assault, possession of stolen property, mischief/property damage, assault with a weapon, possession (drug), and robbery.





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## INTRODUCTION

The sentencing of young offenders is often a subject of public critique, with the *Young Offenders Act* (YOA) frequently denounced by opponents as being too lenient on young persons convicted of criminal offences. In fact, a 1998 survey<sup>2</sup> conducted for Justice Canada reported that over six in ten Canadians are not confident in the YOA.

With the recent introduction of Bill C-3, the *Youth Criminal Justice Act* (YCJA), fundamental changes to the nature of sentencing of young offenders were proposed. The YCJA promises that "[e]ffective alternative and community-based sentences would be emphasized for lower risk, non-violent offenders, while firm measures such as adult sentencing would be applied to protect the public from violent and repeat young offenders"<sup>3</sup>.

This Juristat seeks to improve understanding of youth sentencing activity in provincial and territorial youth courts in 1998/99 and to provide baseline statistical data to the youth justice community. Comparisons of youth receiving various dispositions are made on the basis of age, sex, nature of charge, number of charges, and prior convictions. Additionally, comparisons between the sentencing of adult and young offenders are made, taking note of the stipulation that a youth should not receive a harsher sentence than an adult for a comparable crime. Information is presented on the characteristics of those sentenced, the nature of dispositions, trends in sentencing and related issues. The sentencing of repeat offenders or 'recidivists' is also explored. In particular, the impact of prior convictions and the nature of prior dispositions on the current disposition are examined. Also, where appropriate, trend data<sup>4</sup> are presented.

Within the realm of youth sentencing, several issues are examined based on information collected in the Youth Court Survey (YCS). Among these questions are:

- What changes have occurred in the sentencing of young offenders in Canada over the past seven years?
- What kinds of sanctions are associated with particular offences? How is the seriousness of the offence reflected in the severity of the punishment?
- How do the sentences for young offenders compare to the sentences that adults receive for the same crimes?
- What factors lead to a judge imposing a custody disposition on a youth?

## Youth Sentencing Process

Offenders whose youth court cases end with a finding of guilt (plead guilty or found guilty) are the focus of this Juristat. After a finding of guilt is entered, the court must decide on an appropriate sentence, a very public and often criticized component of the criminal justice process.

The sentencing process for young offenders is very similar to that for adults. The declaration of principle in the YOA (Section 3) identifies several priorities in dealing with young persons. These include the protection of society, rehabilitation of the youth, and preventing criminal conduct. The principles also state that young persons have "a right to the least possible interference with freedom that is consistent with the protection of society". Youth court judges must bear these principles in mind when making sentencing decisions.

<sup>2</sup> Angus Reid Group. *Canadians' Attitudes toward the Young Offenders Act*. Prepared for Justice Canada, February 1998.

<sup>3</sup> Department of Justice Canada. *Canada's Youth Justice Renewal Strategy*. 1998.

<sup>4</sup> The first year for which full national data were available from the Youth Courts Survey was 1992/93, thus becoming the base year for trend comparisons.

## Overview of Youth Crime and Court Caseloads in 1998/99

Youth court caseloads reflect police charging. That is, the composition and distribution of offences is largely determined by the incidents that come to the attention of the police and result in formal charges. In 1999, police charged 111,474 youths with federal offences. Youth represented 21% of all persons charged in Canada in 1999. The rate of youths charged with *Criminal Code* offences has declined 31% from 1992 to 1999.<sup>5</sup>

Youth courts in Canada heard 106,665 cases in 1998/99. This figure is down from the previous year, following the general trend of decreases since 1992/93. These cases comprised 203,229 charges against 63,426 persons.

The rate of cases per 10,000 youth has been declining steadily with year over year decreases since 1992/93. In 1998/99 there were 435 cases per 10,000 youth in Canada, down 12% from 497 seven years earlier.

Forty-three percent of all cases involved property crime offences. Most common in this category of offences were theft under \$5,000 and break and enter. Violent offences accounted for 22% of the 1998/99 youth court caseload. The most common violent offences were minor assault and assault with a weapon. Other Criminal Code offences and violations of the Young Offenders Act accounted for 18% and 12% of the caseload, respectively.

<sup>5</sup> Uniform Crime Reporting Survey, 1999, Canadian Centre for Justice Statistics, Statistics Canada

Although the crime for which the offender has been convicted is the principal factor, it is not the only factor that must be considered in passing sentence. Particular details of the offence such as the amount of harm and the circumstances of the offence (mitigating or aggravating) must be taken into consideration. For offenders with previous convictions, prior dispositions are also determinants of the current sentence. Additionally the offender's age and personal situation are factored into the decision.

## Sentences Available in Youth Court

Youth court judges have many options available when sentencing a young offender. These options include custody, probation, fine, community service, restitution or a conditional or absolute discharge for example.

Custody is the most serious sentence that may be used against young offenders in Canada. Custody may be either secure or open. Secure custody refers to facilities designated for secure restraint. Open custody refers to facilities such as residential centres or group homes. Terms of custody for young offenders are limited to a maximum of two years for convictions for which the adult maximum is not life imprisonment. For crimes punishable by life or where multiple offences are involved, the maximum is three years, and for first degree murder a young offender may be sentenced in youth court for up to ten years: six years in custody followed by four years of conditional supervision.

Probation involves placing a number of conditions on the offender for a specified period of time—up to two years. Probation orders include a number of mandatory conditions and may include other optional conditions. The mandatory

conditions require the offender to keep the peace, be of good behaviour, and appear before the court as required. Optional conditions may include a curfew, reporting to a probation officer, and attending school. Probation is often used in combination with other sanctions.

A fine involves an amount of money that the offender must pay to the government through the court. Fines for a young offender may not exceed \$1,000.

A community service order is a disposition where a young person is ordered to perform unpaid work for the community. The maximum length of a community service order is 240 hours with a maximum term of completion of twelve months.

Other available sanctions include restitution, compensation, prohibition or a conditional or absolute discharge.

## Overview of Youth Sentencing

This Juristat examines young offenders who have been convicted of a federal statute offence. In 1998/99, 67% of all youth court cases (71,961 of 106,665 cases heard) ended with a finding of guilt. This proportion has varied little over the past seven years, ranging from a low of 66% in 1995/96 to a high of 68% in 1996/97. Cases involving multiple charges had a higher conviction rate (78%) than cases involving only a single charge (60%).

Across the country, the proportion of convictions varied significantly, from a high of 87% in New Brunswick to a low of 58% in Manitoba. Procedural differences in the use of stays, withdrawals and whether alternative measures are applied pre- or post-charge will impact on these jurisdictional variations. Police and prosecutorial charging practices will also lead to variation. The conviction rate in Manitoba may be particularly affected by the use of alternative measures at the post-charge stage.

Nationally, in 1998/99, there were 294 cases with at least one conviction per 10,000 youth. As Table 1 illustrates,

Table 1

### Youth court guilty rates and youth population, 1998/99

	% of youth population	% of cases with convictions in youth court	Conviction rates per 10,000 youth
<b>Canada</b>	<b>100</b>	<b>100</b>	<b>294</b>
Newfoundland	2	2	350
Prince Edward Island	<1	<1	220
Nova Scotia	3	3	284
New Brunswick	3	2	281
Quebec	23	13	162
Ontario	37	34	269
Manitoba	4	7	504
Saskatchewan	4	9	690
Alberta	11	17	457
British Columbia	13	12	260

Source: Youth Court Survey, Canadian Centre for Justice Statistics, Annual Demographic Statistics, 1999.

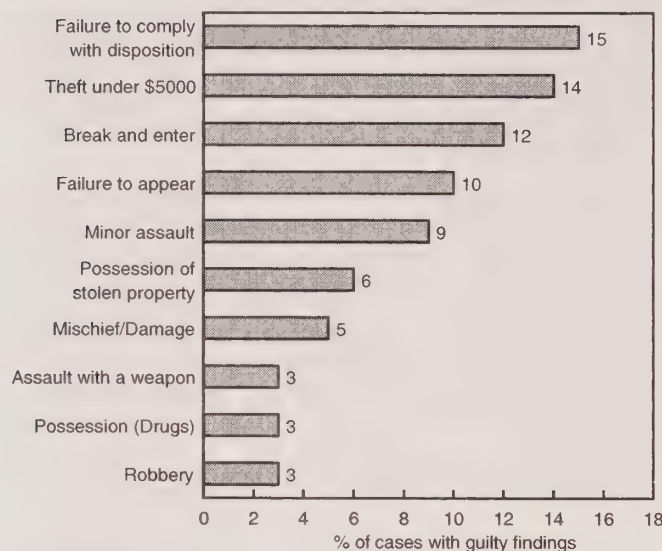


Quebec produced the fewest number of convictions per 10,000 youth at 162. Saskatchewan (690 cases with convictions per 10,000 youth), had a rate of convicted youth over four times the rate noted in Quebec. Manitoba (504 per 10,000) and Alberta (457 per 10,000) also had proportionally more cases with convictions than the national rate.

As Figure 1 illustrates, a relatively small number of offences represent a large proportion of cases with guilty findings. As noted earlier, this offence distribution is largely dependent on police charging practices. One notable difference between police charging and convictions in youth court is the large number of administrative offences generated after charges have been laid by the police. In fact, one-quarter of convicted cases in youth court were for failure to comply with a disposition (YOA) (15%) and failure to appear (10%).

Figure 1

### Ten most frequent offences sentenced in youth court in Canada, 1998/99



Source: Youth Court Survey, Canadian Centre for Justice Statistics.

### Majority of sentenced youth are male

The proportion of males and females sentenced reflects the distribution of those charged by police. For example, 77% of youths charged by police were male while 80% of those convicted in youth court were male. However, the proportion of females convicted has been increasing over time. In 1992/93, females represented 16% of cases with guilty findings, a figure that has steadily increased to the current 20%. Several offence categories contain a higher proportion of sentenced females; these include minor (level 1) assault (32%) and fraud (30%). The proportion of cases resulting in a conviction for females (64%) was lower than the proportion for males (68%).

Across jurisdictions, the proportion of females sentenced varied substantially. Females represented 27% of cases with convictions in the Northwest Territories compared to 9% in Quebec.

In 1998/99, one-half (51%) of convicted youths were aged 16 or 17 even though these two ages represented only one-third of the youth population. Male offenders, on average, tended to be older than female offenders. Fifty-three percent of male offenders were aged 16 or 17 while the comparable figure for females was 41%.

### Custody and probation most commonly used sanctions

For cases with a finding of guilt, probation accounted for the most significant disposition in nearly half (48%) of all cases, followed by terms of custody (35%). Custody sentences were almost evenly split between open (18%) and secure (17%). Community service orders were the most significant disposition in 7% of cases, while fines accounted for 6%. Variations in the use of sanctions across the provinces and territories, as seen in Table 2, will be explored later in this Juristat.

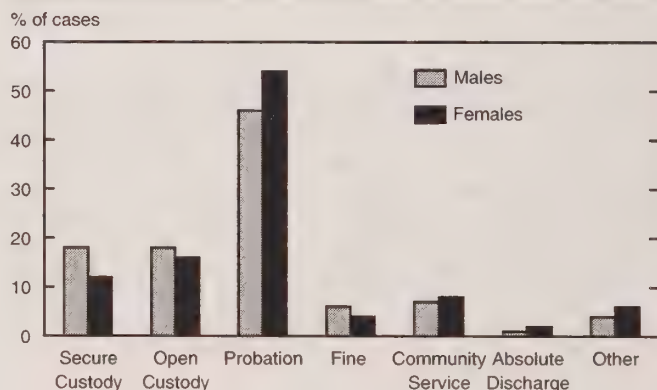
### Females more likely than males to receive a community based disposition

Figure 2 demonstrates the slightly different patterns of sentencing of males and females. Seventy-two percent of cases involving females resulted in a community based sanction compared to 64% for males. Males were more likely than females to receive a custody sanction or a fine. Thirty-seven percent of males received custody as the most serious disposition compared to 28% of females.

On an offence by offence basis males are sentenced more severely than females. For example, 27% of males convicted of theft under \$5,000 received custody as the most serious disposition and 53% received probation. For females, 17% received custody and 60% received probation. Further, these sentencing differences hold true regardless of the number of charges in the case or the criminal history of the offender.

Figure 2

### Convicted cases, most serious disposition by sex, Canada 1998/99



Source: Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada

Table 2

### Dispositions Imposed by Youth Courts in Canada, 1998/99

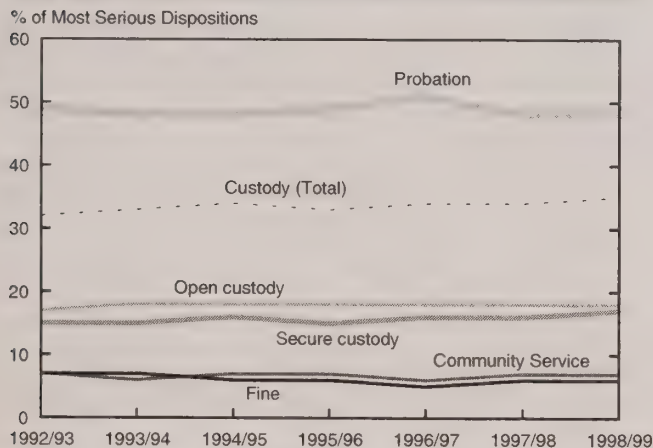
Jurisdiction	Total	Most Significant Disposition						
		Secure Custody	Open Custody	Custody Total	Probation	Fine	Community Service Order	Other <sup>1</sup>
		%						
<b>Canada</b>	<b>71,961</b>	<b>17</b>	<b>18</b>	<b>35</b>	<b>48</b>	<b>6</b>	<b>7</b>	<b>5</b>
Newfoundland	1,748	22	21	43	50	3	1	4
Prince Edward Island	271	26	19	45	46	4	4	1
Nova Scotia	2,152	2	33	35	52	6	5	1
New Brunswick	1,741	19	13	32	60	5	1	2
Quebec	9,099	16	14	30	55	3	8	4
Ontario	24,308	20	21	42	46	3	5	5
Manitoba	4,904	16	16	32	47	6	7	7
Saskatchewan	6,683	19	16	35	48	4	12	2
Alberta	11,909	16	10	26	40	15	13	5
British Columbia	8,276	12	22	33	56	4	2	4
Yukon	260	35	7	42	40	4	-	14
Northwest Territories	610	14	23	38	39	3	2	19

<sup>1</sup> Other includes compensation, pay purchaser, compensation in kind, restitution, prohibition, seizure, forfeiture, and conditional or absolute discharge.

Source: Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Figure 3

### Most Significant Disposition, Canada 1992/93 - 1998/99



Source: Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada

## Use of Custody

Custody was used as the most significant disposition in 35% of cases with guilty findings. Secure custody (17%) was used almost as often as open custody (18%). Twelve percent of all secure custody orders also had terms of open custody attached to them.

The use of secure custody has increased slightly over the past seven years while the use of open custody has remained relatively stable. The 17% percent of youth receiving secure custody in 1998/99 was up slightly from 15% in 1992/93. Over

the same period, a slight change was noted in the use of secure custody for property offences. In 1998/99, 15% of property offence cases resulted in a term of secure custody, up from 12% in 1992/93.

The relative stability in the use of custody across offence categories tends to veil changes within specific offences. Minor assaults have increasingly been receiving terms of secure custody, rising from 8% in 1992/93 to 12% in 1998/99. For robbery, the use of secure custody peaked in 1993/94 at 38% and has been declining since. In 1998/99, 27% of robbery cases received secure custody as the most significant disposition. The use of secure custody for Theft under \$5,000 has been increasing. In 1992/93, 5% of these cases resulted in secure custody, a proportion that doubled to 10% by 1998/99.

Custody orders were almost evenly split between 16 and 17 year-olds and 12 to 15 year-olds. Just over one-half (53%) of all custody orders went to 16 and 17 year olds.

### The majority of custody orders are for less than three months

In the majority of cases custody orders were short. Seventy-seven percent of both open and secure custody orders were for three months or less. Fully ninety-two percent of secure custody orders and ninety-four percent of open custody orders were for terms of six months or less. Only two percent of secure and one percent of open custody orders were for periods of longer than one year.

Over time the number of very short custody terms (less than one month) has been increasing. In 1998/99, thirty-five percent of secure custody orders were for terms of one month or less, up from 28% in 1992/93. A similar increase was noted for open custody orders.



The median length of open custody orders was longer than the median length of secure custody orders (43 days compared to 30 days). Males tended to be sentenced to longer terms of custody than females. For males the median term of open custody was 45 days compared to 30 days for females. Secure custody orders were much closer in median length; the term for males (31 days) was only marginally higher than the term for females (30 days).

The median length of both open and secure terms of custody has decreased over the past seven years. In 1992/93, the median length of both secure and open custody orders was sixty days. These figures dropped to 30 days for secure and 43 days for open by 1998/99. This change can be contributed to two main factors. One factor is a decrease in the median length of custody orders for violent offences. Median sentences for violent offences declined from 90 days in 1992/93 to 60 days in 1998/99. A second important factor in the decline of median sentence lengths was the dramatic increase in custody orders for violations of the YOA, where the number of cases ending in custody more than doubled from 1992/93 to 1998/99. Although the median length of sentences for YOA violations remained stable at 30 days, the increased number of these short sentences contributed to the overall decline in median sentence lengths.

### **Custody for violent and non-violent offences**

Youths convicted of violent offences were only slightly more likely than youths convicted of property offences to receive a term of secure or open custody (32% compared to 31%). Although this may give the impression that violent offenders are not being dealt with more severely, nearly half (48%) of all violent offence convictions were for minor (Level I) assaults which had a custody rate of 25%. Excluding these minor assaults, the proportion of violent offenders receiving custody increases to 39%. For the most serious violent offences, (murder, attempted murder, manslaughter and aggravated sexual assault), the proportion of offenders receiving custody was 96%.

Another factor that may contribute to the similar incarceration rate for violent offenders and property offenders is the greater number of youths convicted of property offences who have prior criminal convictions. Forty-five percent of property offenders compared to 37% of violent offenders had prior convictions. The incarceration rate for repeat offenders, as will be discussed later, is significantly higher than for youths with no previous convictions.

Close to half (48%) of all youths convicted of offences against the YOA were sentenced to terms of custody. Nearly all (98%) of these convictions were for failure to comply with a disposition. The high incarceration rate for this offence indicates that youth courts take a dim view of offenders who do not respect court orders.

Youths convicted for drug offences were unlikely to receive terms of custody. Less than one in five convicted youth (18%) received custody terms for drug offences.

### **Offenders with past custody dispositions likely to receive custody again**

Young offenders who have served a custody disposition in the past<sup>6</sup> faced a substantially increased chance of receiving another custody disposition. Analysis reveals that the disposition that an offender received in the past has a strong influence on current sentencing. For repeat offenders, across all offences, the current sentence varied dramatically based on previous sentencing decisions. A repeat offender who had received a custody disposition in the past was more likely to receive custody again. In fact, 70% of repeat offenders with a history of custody received custody again as the most serious disposition. In contrast, only 32% of repeat offenders with no history of custody received custody as their most serious sentence.

This sentencing trend held true regardless of the offence. For example, 60% of repeat offenders with a past custodial sanction received custody as the most significant disposition for theft under \$5,000 compared to 20% of repeat offenders whose prior conviction resulted in a non-custodial disposition. These figures are contrasted to the 7% of first-time offenders sentenced to custody for theft under \$5,000 in 1998/99.

### **Jurisdictional use of custody varied considerably**

As Table 2 indicates, Prince Edward Island employed custody at the greatest rate, where it accounted for the most serious disposition in 45% of cases with guilty findings. Newfoundland (43%), Ontario (42%) and the Yukon Territory (42%) also applied custody at a rate notably higher than the national average. Alberta, on the other hand, used custody the least frequently employing this sanction in 26% of cases. Quebec (30%) also demonstrated a use of custody at a rate below the national average.

In Nova Scotia secure custody was ordered in only 2% of cases, with the bulk of orders consisting of open custody. Conversely, the Yukon Territory used open custody in only 7% of cases with the majority of custody terms being secure. Variations in the use of open and secure custody across the jurisdictions, to some degree, reflect the availability of facilities, and how the levels of custody are determined in each jurisdiction. Northwest Territories for example, used open custody more frequently than most jurisdictions due to their "on-the-land" programs.

### **Cases involving multiple charges are more likely to receive custody**

In cases involving multiple charges, offenders were much more likely to receive a custody disposition. Single charge cases with guilty findings had secure custody as the most significant disposition 13% of the time and open custody 14%. In multiple charge cases secure and open custody were each used in 21% of cases. This pattern was most pronounced in cases involving six or more charges where 31% of offenders

<sup>6</sup> Refers only to the most recent prior disposition.

received secure custody and 29% open custody. These results suggest that youth courts are sentencing more severely those offenders involved in more serious criminal incidents or displaying patterns of criminal behavior.

### Rate of custody relatively stable

In 1998/99, as Table 3 shows, custody was used in 103 cases per 10,000 youths. This overall rate of custody use has varied little although there have been changes in the distribution of terms between open and secure custody. The rate for secure custody has been rising while the rate for open custody has been declining. For secure custody the 1998/99 rate was 50 cases per 10,000 youth, while for open custody the rate was 52. The rate for open custody is at its lowest point in the seven years for which full data are available. The rate for open custody peaked in 1993/94 at 60 cases per 10,000 youth. The rate for secure custody has been rising since 1995/96 when the rate was 45 cases per 10,000 youth.

## Use of Probation

Probation continues to be the most common disposition in youth court. In 1998/99, nearly half of all convictions resulted in probation as the most significant disposition. However, probation was often combined with terms of custody—64% percent of all dispositions included a period of probation. As Figure 3 indicates, the use of probation has varied little, ranging from 48% to 51% of most serious dispositions over the past seven years.

The majority (77%) of probation orders were for terms of greater than six months. Terms of probation of three months or less were rare, accounting for only three percent of orders. The median length of probation orders was 360 days. This figure has remained stable over the seven-year tracking period, matching the figure recorded in 1992/93 and every year since. Probation orders for males and females both had median lengths of 360 days in 1998/99.

## Probation dispositions used as often for property as violent offences

Fifty-four percent of offenders convicted of crimes against property received probation as the most significant disposition compared to 58% of offenders convicted of violent offences. The proportion for violent offences was bolstered by the fact that minor assaults, which account for 48% of all violent crime, had probation as the most significant disposition 62% of the time. Excluding minor assaults, probation was the most significant disposition in 53% of violent cases.

Offenders facing multiple charges and offenders with prior convictions were less likely to receive probation as the most significant disposition. (Note that re-offences for administrative offences are not included in these figures). For youths with three or more prior convictions, 23% received probation as the most serious sentence. In contrast, two-thirds of young offenders with no prior convictions received probation as the most significant disposition. One-half of youths facing a single charge received probation as the most significant disposition compared to 42% of youths facing three or more charges.

The use of probation varied significantly by region. New Brunswick (60%) and Quebec (55%) were the most likely to use probation as the most significant disposition. Alberta (40%) and the territories (Yukon 40% and Northwest Territories 39%) were the least likely to employ this sanction.

## Use of fines

A fine was the most significant disposition in 6% of cases in 1998/99. The bulk (87%) of fines ranged from \$50 to \$500. Forty-two percent of fines ranged from \$50 to \$100 dollars while forty-five percent were between \$101 and \$500.

Table 3

**Youth custody rate (per 10,000) in Canada, 1992/93 to 1998/99**

	1992/93	1993/94	1994/95	1995/96	1996/97	1997/98	1998/99	% change from 1992/93 to 1998/99
Youth Population	2,305,122	2,330,863	2,359,075	2,386,304	2,417,604	2,439,839	2,451,946	6.4
Total Youth Custody	24,454	25,945	25,212	24,312	25,278	25,669	25,169	
<b>Custody Rate</b>	<b>106</b>	<b>111</b>	<b>107</b>	<b>102</b>	<b>105</b>	<b>105</b>	<b>103</b>	<b>-3.2</b>
% change in rate	...	4.9	-4.0	-4.7	2.6	0.6	-2.4	
Secure Custody	11,301	11,874	11,616	10,850	11,772	12,199	12,312	
<b>Secure Custody Rate</b>	<b>49</b>	<b>51</b>	<b>49</b>	<b>45</b>	<b>49</b>	<b>50</b>	<b>50</b>	<b>2.4</b>
% change in rate	...	3.9	-3.3	-7.7	7.1	2.7	0.4	
Open Custody	13,153	14,071	13,596	13,462	13,506	13,470	12,857	
<b>Open Custody Rate</b>	<b>57</b>	<b>60</b>	<b>58</b>	<b>56</b>	<b>56</b>	<b>55</b>	<b>52</b>	<b>-8.1</b>
% change in rate	...	5.8	-4.5	-2.1	-1.0	-1.2	-5.0	

\* refers to the previous year.

... not applicable.

Source: Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.



Impaired operation was the offence most likely to result in a fine (59%) as the most serious disposition. This is not surprising as the offence carries a minimum fine of \$300 for first time adult offenders.

A notable change occurred in the use of fines for other federal statute offences over the past seven years. While fines were the most significant disposition in 56% of crimes in this category in 1992/93, the proportion rose to 71% in the reference year.

## Community service orders

Although community service orders were the most serious disposition in only 7% of cases, they were often combined with other, more serious dispositions. Fully 29% of all sentences passed in youth court contained community service orders. As the most significant disposition, community service orders were employed to the greatest extent for offences against the YOA (11%).

## Recidivism and sentencing

A major concern for youth courts and policy makers are youths who continue to commit offences after being convicted and sentenced.

### Defining Recidivism

The definition of a recidivist in this report is a young person who was found guilty of at least one federal statute offence during 1998/99 and had been previously convicted in a youth court of at least one other federal statute offence since 1990. However, conviction for a violation of the Young Offenders Act and post-disposition administrative offences in the Criminal Code are excluded from this analysis. The majority of Young Offenders Act violations are failure to comply with a disposition, and Criminal Code post-disposition administrative offences such as failure to comply with a probation order, escaping from custody, and being unlawfully at large. Also, offence data from Nova Scotia are excluded from the analysis.

### Forty-two percent of youth had prior convictions

Overall, 42% of youths sentenced in 1998/99 were considered recidivists and conversely 58% of youths sentenced in the same year received their first conviction. Aside from first time offenders, the largest portion of sentenced young offenders (20%) had only one previous conviction. Twelve percent of youth could be considered persistent offenders, having amassed three or more previous convictions prior to their current sentencing. Two percent of youths had six or more previous convictions before their current sentencing appearance.

### Recidivists tend to be older and more likely to be male

Table 5 indicates recidivists were concentrated among the oldest young offenders. Approximately one in three 12-15 year olds had been previously convicted while the comparable figure for 16 and 17 year olds was one-half. This difference is

not unexpected, given that older offenders had more time at risk of committing an offence and being caught. For example, a thirteen year-old would have to have a conviction in the past year or so to be considered a recidivist while a seventeen year-old would qualify as a recidivist if convicted anytime in the five previous years.

Male offenders were more likely to have a prior conviction than female offenders. Forty-four percent of male offenders had prior convictions compared to 34% of females.

Table 4

### Cases by sex and number of prior convictions, Canada 1998/99

Prior Convictions	Sex		
	Total	Male	Female
<b>Total</b>	<b>44,981</b>	<b>36,326</b>	<b>8,655</b>
		%	%
No Priors	25,865	55	66
1 prior	9,149	21	20
2 priors	4,484	10	8
3 priors	2,411	6	3
4 priors	1,310	3	2
5 priors	784	2	1
6 or more	978	3	1

Source: Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

### Older youths and males also more likely to be persistent offenders

Proportionally twice as many males as females were persistent offenders. Thirteen percent<sup>7</sup> of males had three or more prior convictions compared to 7% of females. A greater proportion of seventeen year-olds (18%) and sixteen year olds (15%) had at least three prior convictions compared to their younger counterparts.

### Some offences have higher rates of recidivism

A majority of youths charged with Failure to Appear are recidivists. Fully 61% of young offenders charged with this offence have prior convictions. Over one-half of offenders convicted of possession of stolen property and theft over \$5,000 (both at 54%) had prior convictions. Convicted youth in cases of assaulting a police officer and forgery (both at 52%) were slightly more likely to be recidivists than first-time offenders.

Several offences involved significantly higher proportions of persistent offenders (three or more previous convictions). Nearly one-quarter of youths convicted of theft over \$5,000 had three or more previous convictions and six percent had six or more. One in five cases of possession of stolen property involved youths with three or more priors.

<sup>7</sup> Due to rounding in Table 4 figures in the text may not match those in the table.

Table 5

### Cases by age of accused and number of prior convictions, Canada 1998/99

Jurisdiction	Age						
	Total	12	13	14	15	16	17
Canada <sup>1</sup>	44,981	1,469	3,517	6,707	9,693	11,056	12,061
		%	%	%	%	%	%
No Priors	25,865	84	73	65	58	52	49
1 prior	9,149	13	17	21	21	21	21
2 priors	4,484	2	6	8	10	11	12
3 priors	2,411	1	2	4	5	6	7
4 priors	1,310	--	1	2	3	4	4
5 priors	784	--	--	1	1	2	3
6 or more	978	-	--	1	1	3	

<sup>1</sup> Row does not sum to total as information on offenders under age 12, over age 17 or where age is unknown are not displayed in this table.

-- amount too small to be expressed.

- nil or zero.

Source: Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

### The majority of youths who re-offended did so within 6 months

Six in ten youths who re-offended in 1998/99 did so within six months of their previous disposition. The number of prior convictions had little impact on the elapsed time before the next offence. Fifty-nine percent of youths with one previous conviction re-offended within six months compared to 62% of youths with 3 or more priors. Nine in ten youths who re-offended in 1998/99 did so within one year.

### Sentencing of recidivists

As one would expect sentencing patterns reveal a different picture when examined in the context of first-time and repeat offenders. Recidivists in general tend to be sentenced more harshly than first-time offenders. The number of prior convictions also led to significant differences in sentences. For example, while only 14% of first-time offenders received terms of custody, 81% of those with six or more previous

convictions received a term of custody as the most significant disposition.

The number of prior offences also influenced the length of custody that offenders received. Thirty-two percent of offenders with one prior conviction received a term of custody of less than one month compared to 19% of offenders with 6 or more prior convictions.

### Comparison of adult and youth sentencing

The YOA states that a young offender should not receive a harsher sentence than an adult would for the same crime. This leads to the question of whether youths currently receive harsher sentences for some offences. For the most serious criminal offences, such as murder, adults clearly receive harsher penalties. However, offences that carry life sentences represent only a very small fraction of all crimes recorded by

Table 6

### Number of Priors by Most Serious Disposition, Canada 1998/99

Most Significant Disposition	Total Custody	Secure Custody	Open	Probation	Fine	Other <sup>1</sup>
Priors		%	%	%	%	%
Total	44,981	14	13	55	5	12
No priors	25,865	6	8	67	5	14
1 prior	9,149	15	18	49	6	12
2 priors	4,484	25	23	38	6	9
3 priors	2,411	35	24	28	6	6
4 priors	1,310	43	23	23	6	6
5 priors	784	49	21	21	4	5
6 or more	978	60	20	11	3	5

<sup>1</sup> Other includes community service, compensation, pay purchaser, compensation in kind, restitution, prohibition, seizure, forfeiture and conditional discharge or absolute discharge.

Source: Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.



the police. This section makes comparisons of the sentencing of adults<sup>8</sup> and youths for the most common offences.

The sentencing comparisons in this section are based only on cases involving a single charge. Multiple charge cases are excluded from the analysis because only in single charge cases can one directly relate the crime and the punishment to a specific offence. This occurs because the court surveys have no indicator for consecutive or concurrent sentences and thus cannot clearly identify aggregate sentences. For young offenders, terms of open custody and secure custody are combined and reported as custody. The offences selected represent the most commonly sentenced offences in youth court, (see Figure 1) excluding offences against the YOA. These nine most common offences in youth court represent 65% of the year's caseload (the excluded YOA offences represents a further 15% of the caseload). One factor that has a significant impact on the sentence imposed is the prior record of the offender. In this comparison, prior record is not controlled for. Adult offenders may be more likely to have a prior record due to the greater period of time at risk for committing an offence.

It is difficult to make direct comparisons between the custodial sentences of young offenders and adults. Unlike youths, the length of time adults spend in custody is governed by the *Corrections and Conditional Release Act*. Most adult offenders, through parole or statutory release, will spend one-third to two-thirds of the court imposed sentence incarcerated, with the remainder of their sentence spent in the community, unless they pose a serious risk to the public. Most youths, on the other hand, must spend their entire sentence in custody. For example, an adult sentenced to six months for an offence would most likely spend two to four months of the sentence incarcerated and the remaining two to four months in the community under supervision. A young offender, on the other hand, sentenced to six months for the same offence would spend the entire six months in custody.

For youths, early release is not common. Mandatory reviews of youth dispositions occur annually for sentences of more than one year (terms of one year or more represent only 1% of all youth custody orders). Custody dispositions may also be reviewed after six months at the request of either the youth or the provincial or territorial Attorney General.

Overall, an equal proportion of youths and adults (35%) received custody as the most serious sentence. Youths were much more likely to receive a term of probation, 48% versus 28% as the most serious sanction. Adults on the other hand received fines at a rate notably higher than youths. One-third of adults received a fine compared to 6% of youth. This difference is understandable. The difference in the use of fines may also be explained by the higher percentage of adult offenders convicted of impaired driving. As well, there is a significant difference in the ability of a youth and an adult to pay a fine. The burden of a fine on a young offender may be passed on to the parents rather than acting as a punishment for the youth.

Given the differences in the use of the various non-custodial sanctions, comparisons between youth and adult offenders will be made on the basis of custodial sentences. Custody is

the most serious sanction that may be imposed by a court in Canada, it thus provides a useful index of how severely various crimes are dealt with.

For some common offences, a greater proportion of adults than youths received sentences of custody<sup>9</sup>, whereas for other offences there was little or no difference. For example, where one quarter of youths were sentenced to custody for break and enter, slightly more than half (51%) of adults were imprisoned for the same crime. The difference was not as pronounced for other common offences. For minor assault, 17% of youth and 19% of adults were sentenced to custody in 1998/99. Similarly, for property damage/mischief near identical proportions of young offenders and adults received custody as the most serious disposition.

Although it may appear from the higher incarceration rates for all the offences examined that adults are punished more severely than youth, a different picture is revealed when the

Table 7

### Custody usage for adult and youth offenders, Canada 1998/99

Offence		Single charge cases	
		Number of Single Charge Cases	% Receiving Custody as Most Serious Disposition
Theft Under \$5000	Adult	10,900	27
	Youth	5,103	15
Failure to Appear	Adult	10,433	54
	Youth	4,368	36
Minor Assault	Adult	13,010	19
	Youth	3,788	17
Break and Enter	Adult	3,050	51
	Youth	3,527	25
Property Damage/Mischief	Adult	3,596	17
	Youth	2,002	16
Possession (CDSA)	Adult	6,223	13
	Youth	1,486	9
Assault Weapon/Bodily Harm	Adult	3,259	34
	Youth	1,135	25
Possession of Stolen Property	Adult	3,424	35
	Youth	1,653	27
Robbery	Adult	623	69
	Youth	746	40

Source: Adult Court Survey, Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

<sup>8</sup> Note: Coverage of the Adult Criminal court Survey is limited to eight jurisdictions representing approximately 80% of the national adult criminal court caseload. Coverage of the ACCS also excludes data from Superior courts.

<sup>9</sup> Includes only single charge cases.

same offences are examined in terms of the length of the custody sentence. Youths frequently are sentenced to longer periods of custody. As Table 8 shows, for many common offences, a greater proportion of adults who receive custody are sentenced to a term of one month or less. Even without accounting for the early release provisions for which only adults are eligible, adult custodial sentences are routinely shorter.

In cases of common assault, where the incarceration rates are nearly identical, almost six in ten adults sentenced to custody receive a term of one month or less while for youths only about a third receive a sentence of this length. Common assault is the most frequently occurring violent crime for both young offenders and adults.

In cases of property damage/mischief, where a nearly identical proportion of youths and adults receive sentences of custody, adults were twice as likely to receive a short custody term. Seventy-one percent of adult offenders compared to 37% of young offenders received sentences of 30 days or less.

In fact, of the nine common offences examined, only for robbery were youth more likely to receive a short (one month or less) term of custody. Thirteen percent of youth and 19% of adults were sentenced to a term of one month or less for robbery.

Table 8

### Custody length for adult and youth offenders, Canada 1998/99

Single charge cases

Offence		1 month or less	Greater than 1 month
Theft Under \$5000	Adult	62	38
	Youth	42	58
Failure to Appear	Adult	78	22
	Youth	48	52
Minor Assault	Adult	57	43
	Youth	35	65
Break and Enter	Adult	20	80
	Youth	17	83
Property Damage/Mischief	Adult	71	29
	Youth	37	63
Possession (CDSA)	Adult	80	20
	Youth	55	45
Assault Weapon/Bodily Harm	Adult	37	63
	Youth	28	72
Possession of Stolen Property	Adult	46	54
	Youth	26	74
Robbery	Adult	14	86
	Youth	19	81

Source: Adult Criminal Court Survey, Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Trends in the sentencing of young offenders and adults show some interesting differences. Analysis of adult sentencing patterns reveals that while the proportion of cases sentenced to prison has increased slightly, prison sentence lengths have increased substantially. The median length of prison sentence rose from 30 days in 1994/95 to 45 days in 1998/99. For youths, over the same time period, there was a slight increase in the number of custody dispositions but the length of the custody sentences decreased substantially. In 1994/95 the median length of a youth custody disposition was 45 days, by 1998/99 that figure had dropped to 30 days. If one bears in mind the use of early release for adult offenders the actual median sentence length of youth and adults is quite comparable.

The comparison of adult and youth offenders reveals that youth are less likely to receive custody dispositions for the nine most common offences. However, for each of the offences examined with the exception of robbery, adults were more likely than youths to receive a short term of custody (less than one month). This result is surprising, as adult offenders due to their additional years at risk are more likely to have lengthier criminal histories that could increase the severity of their punishments. Early release provisions available only to adults must also be considered when interpreting this comparison.

The above comparisons show that although there are differences in how adult and youth offenders are dealt with these differences may not be as large as previously thought. Analysis based on these common offences suggests that while youths may have a lower incarceration rate than adults, they sometimes serve longer terms of imprisonment.

## Methodology

The Youth Court Survey (YCS) is a census of Criminal Code and other federal statute offences heard in youth court for youths aged 12 to 17 (up to the 18th birthday) at the time of the offence. Though every effort is made by respondents and the Canadian Centre for Justice Statistics (CCJS) to ensure complete survey coverage, slight under-coverage may occur in some jurisdictions. Refer to the annual publication Youth Court Data Tables 1998/99 for more information on data collection, editing, and compilation.

In this Juristat, the unit of analysis is the case, which is defined by the YCS as one or more charges laid against a young person and presented in a youth court on the same date. Case counts are categorized by the most serious charge, most serious decision and most serious disposition. Consequently, less serious charges, decisions and dispositions are under-represented. The determination of the most serious charge at the beginning of court proceedings is by the ordering of charges from most to least serious. Violent charges are given first priority in the ordering process, followed by drug and narcotic offences, property offences, other Criminal Code offences, offences under the *Young Offenders Act* (YOA), and other federal statute offences. Offences are further ranked within these offence categories. Refer to the annual publication Youth Court Data Tables for more information on the ordering criteria.



Since a case with more than one charge may have more than one type of decision, the “most significant decision” has been selected for analysis on the basis of the following order from most to least serious: transfer to adult court, guilty, other decision (e.g., not fit to stand trial), stay of proceedings, charge withdrawn, or transfer to other jurisdiction, and not guilty or charge dismissed. The case is described by the most serious or “significant” charge in the case, which is associated with the court decision. The most significant disposition is determined by the effect the disposition has on the young person. Dispositions are ordered from most to least serious as follows: secure custody, open custody, probation, fine, compensation, pay purchaser (a dollar amount to innocent purchaser of stolen goods), compensation in kind, community service order, restitution, prohibition/seizure/forfeiture, other disposition, conditional discharge and absolute discharge. The reader is advised that the use of the decisions ‘stay’ and ‘withdrawn’ for administrative purposes (e.g., to reduce charges or to correct details on an information) vary by jurisdiction. To terminate and recommence a case for administrative purposes has been found to inflate the total number of cases reported to the Youth Court Survey. As well, charges are stayed or withdrawn pending the outcome of Alternative measures Programs in post-charge jurisdictions such as Ontario and Manitoba. As much as 30% of the national caseload is stayed or withdrawn and a proportion of these are the result of Alternative Measures or administrative procedures. Ontario, Manitoba, Saskatchewan and British Columbia are most affected by these practices. Consequently the reader is encouraged to analyze cases with guilty findings (convictions) to increase comparability among the jurisdictions, where possible.

Differences in data over time and across jurisdictions result from a number of factors that reflect how the YOA has been implemented. Pre-court screening procedures may affect the

number of youth appearing in court. The Crown Attorney, for example, may decide not to proceed with a charge, or the initial charge may be changed. Pre-charge screening by the Crown is mandatory in New Brunswick, Quebec and British Columbia. A youth may also be diverted from the court process into a program such as Alternative Measures (either before or after police lay charges) or a police diversion program.

Alternative Measures (AM) programs are generally reserved for first-time offenders and are limited to specific types of less serious offences. Except for New Brunswick, Ontario and Yukon, all AM programs are combined pre- and post-charge programs with the preference, and the general practice, to refer youths at the pre-charge stage (i.e. before charges are laid). In New Brunswick, the AM program operates at the pre-charge stage only. In Ontario, youths are only referred to AM programs at the post-charge stage (i.e. after charges are laid). In the Yukon Territory, the general practice is to refer youths to the AM program at the post-charge stage, although, on occasion, they may be referred at the pre-charge stage. AM cases are excluded from the Youth Court Survey data either in the jurisdiction or at the CCJS, if they are identified. Nevertheless, differences in procedures and eligibility requirements of these programs influence the volume and characteristics of cases heard in youth courts.

The Adult Criminal Court Survey (ACCS) follows a similar pattern as the YCS in defining cases. Some limitations on coverage of the survey should be noted. First, three provinces (New Brunswick, Manitoba and British Columbia) are not included in the survey at this time. Second, some court locations in Quebec are not included. Information from Quebec’s 140 municipal courts (which account for approximately 20% of federal statute charges in that province) are not yet collected. Finally, with the exception of Alberta, no data are provided from the superior courts.

## Canadian Centre for Justice Statistics

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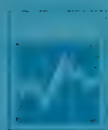
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# Juristat

Canadian Centre for Justice Statistics



Statistics Canada – Catalogue no. 85-002-XPE Vol. 20 no. 8

## YOUTH CUSTODY AND COMMUNITY SERVICES IN CANADA, 1998-99

*by Mary Bess Moldon and Damir Kukec*

### HIGHLIGHTS

- In 1998-99, incarceration rates among reporting provinces ranged from 11 young offenders in custody per 10,000 youth in British Columbia to 41 per 10,000 youth in Saskatchewan. Probation rates ranged from 124 young offenders in probation per 10,000 youth in Alberta to 225 per 10,000 in Prince Edward Island.
- During 1998-99, approximately 78,000 youth admissions to custody or probation took place in Canada. Almost 80% of these admissions were male.
- Just over one-half (52%) of admissions were to custody (remand, secure and open custody) while the remaining 48% were to probation.
- The majority of youth custody admissions were to remand (60%), followed by open custody (21%) and secure custody (19%).
- The national rate of youth custody admissions has declined from 182 custody admissions per 10,000 youth in 1997-98 to 164 per 10,000 youth in 1998-99. Among provinces, rates of youth custody admissions ranged from a low of 70 custody admissions per 10,000 youth in Prince Edward Island, to a high of 239 per 10,000 youth in Manitoba.
- Sentenced custody admissions (i.e., secure and open custody) were most likely to be for property offences (43%). Violent offences accounted for 22% of sentenced custody admissions, followed by YOA offences (20%), other *Criminal Code* offences (10%), drug-related offences (2%) and other federal/provincial/municipal offences (2%). A similar offence profile was displayed for probation admissions which were most likely to be for property offences (52%), followed by violent offences (27%), other *Criminal Code* offences (10%), YOA offences (5%), drug-related offences (3%) and other federal/provincial/municipal offences (3%).
- Aboriginal youth were over-represented in the youth correctional system. In the reporting jurisdictions where Aboriginal status was known, Aboriginal youth accounted for 24% of the total admissions to sentenced custody, although they accounted for only 5% of the total youth population in those jurisdictions.
- Almost one-half (45%) of releases from sentenced custody took place within one month. Only 3% of secure custody releases and 2% of open custody releases occurred after one year or more.
- The majority of those admitted to probation received sentences of six months to one year (52%), followed by those sentenced to one to two years (26%).





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## Introduction

The current debate over the proposed *Youth Criminal Justice Act*, which is intended to replace the *Young Offenders Act*, highlights the complexity and importance of youth justice as a policy issue in Canada. The development of new legislation has been attributed to “public frustration with the *Young Offenders Act* and a political determination to *get tough* with young offenders” (Varma & Marinos, 2000). Furthermore, researchers and public opinion polls report that Canadians in general believe that crime and youth crime in particular have increased over time and that the *Young Offenders Act* is unable to stem the tide of youth delinquency (Environics, 1998; Peterson-Badali, 1996; Hartnagel & Baron, 1995).

However, contrary to public perception, official crime data maintained by the Canadian Centre for Justice Statistics (CCJS) at Statistics Canada show that since 1991 the number of youth charged by police has dropped by 35% to 407 youth charged per 10,000 youth in 1999 (Tremblay, 2000). Although marginal, the rate of youth violent crime has also shown a decline from 1995 to 1998 and police-reported statistics have shown that youth commit proportionately less violent crime than adults (Savoie, 1999). The rate of youth court cases has also followed a downward trend, declining 13%, from 500 per 10,000 youth in 1992-93 to 435 per 10,000 youth in 1998-99 (Carrière, 2000).

In addition to police reported youth crime and youth court data, youth corrections statistics present another view of the youth justice system in Canada. Data from the Youth Custody and Community Services (YCCS) survey, presented in this *Juristat*, provide legislators, policy makers, corrections officials, and the public with new information on youth justice and may inform the on-going evolution of Canada's youth justice system.

The purpose of this *Juristat* is to provide corrections-based data on youth admissions to custodial facilities and to probation, and the daily average number of young offenders in custody and probation across the country. As such, the information describes the case-flow and workload in the youth corrections system. In addition, admission data describe the characteristics of youth admissions to custody and probation by the most serious offence, the length of disposition ordered by the court and releases by length of actual time served. Demographic information is also presented for youth admissions to custody and probation (i.e., sex, age and Aboriginal status).

### Scope of the YCCS survey

Data summarized in this *Juristat* are primarily drawn from the YCCS survey. The scope of the YCCS survey is to collect and analyse information on the application of dispositions under the *Young Offenders Act* from provincial and territorial agencies responsible for youth corrections and programs. The primary unit of analysis for the YCCS survey is the *admission*, which is the commencement of an uninterrupted period of supervision by the Provincial/Territorial Director within a specific status (e.g., secure custody).

The data in this publication are national in scope representing all of the provinces and territories across Canada. Data from Nunavut are not reported in this *Juristat* because the reporting period (1998-99) is prior to the establishment of the new territory. Work is underway to include Nunavut in the next survey cycle.

Jurisdictions provide data on the application of dispositions under the YOA on two levels. Newfoundland, Prince Edward Island, Manitoba and Alberta provide case-specific information which are used to generate the aggregate admission counts reported in this publication. These respondents represent roughly 20% of the national caseload. The remaining jurisdictions report to the survey on an aggregate level. Because of the limited coverage provided by the case-specific survey, analysis in this report has been limited to aggregated data. Future expanded coverage of the case-specific survey will eventually permit more comprehensive analysis of the

characteristics of youth cases in corrections. It should also be noted that as the survey has only previously released one year (1997-98) of data, it is difficult to report on long term trends at this time. For more information on the YCCS survey and its methodology please refer to the methodology and glossary section contained in this publication.

#### The National Justice Statistics Initiative

The data contained in this *Juristat* are the result of a partnership between federal, provincial and territorial governments. This partnership is referred to as the National Justice Statistics Initiative (NJSI) and is essential to reporting national and comparable data on youth crime and its administration. It is important to point out that the application of national and uniform definitions may result in differences between the data contained in this *Juristat* and those found in provincial and territorial reports.

Before presenting the survey data, a description of the youth justice system and the types of dispositions currently available under the *Young Offenders Act* (YOA) will give context to the analysis of the YCCS survey data.

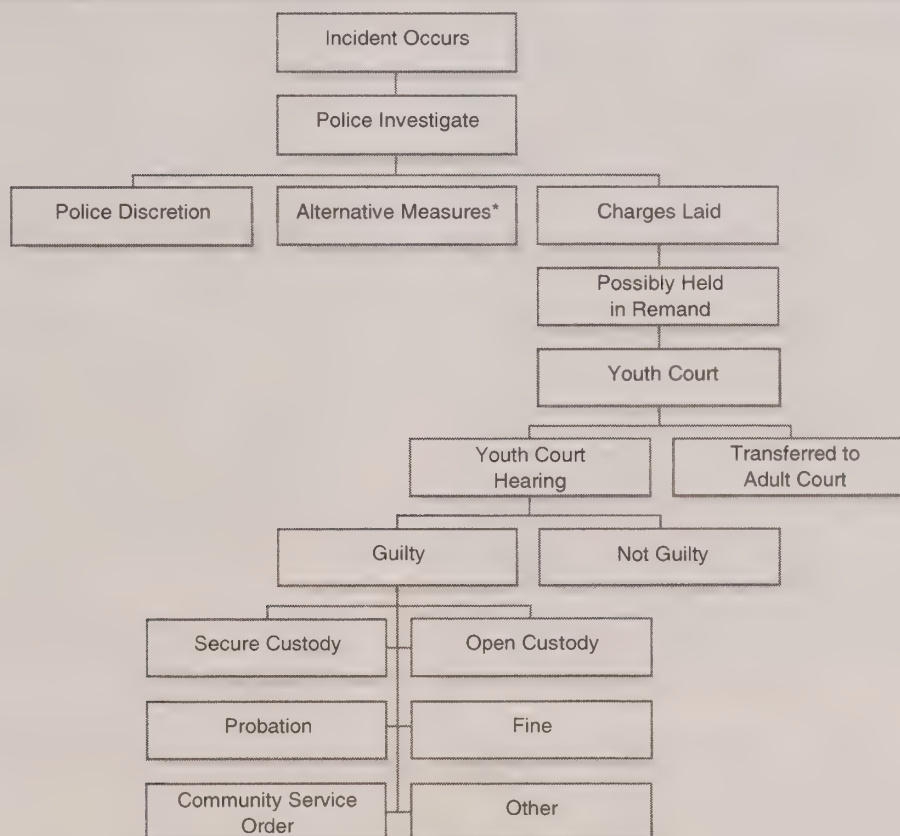
#### The youth justice system

In general, the federal government is responsible for creating federal statutes like the *Criminal Code of Canada*, *Controlled Drugs and Substance Act*, and the *Young Offenders Act*; while the provinces and territories are responsible for the administration of justice across Canada. The YOA provides a set of rules, which are to be applied to young people who are apprehended by police and who may be subsequently charged under federal, provincial or municipal statutes.

Under the YOA, a "young person" is defined as someone 12 years of age or older but under the age of 18 at the time of the offence. As shown in Figure 1, the youth justice process commences once an incident occurs and police investigate. If an offence has been committed and the young person is apprehended, police can use their discretion as to whether or not to charge the youth. Through a referral by either the police or the crown attorney, the youth can be held accountable for his/her actions by being diverted from the formal court process and admitted into an Alternative Measures (AM)

Figure 1

Youth justice process chart



\* Within jurisdictions, alternative measures may be offered before charges are laid, after charges are laid, or both.



program.<sup>1</sup> Alternative measures include various requirements such as compensation, the performance of community or personal services and/or other measures considered appropriate. If the youth does not complete an AM program, then the youth may be referred back to the formal judicial process.<sup>2</sup>

Once charges are laid, the youth can be released with a promise to appear in court or the youth may be held temporarily in remand prior to a court hearing. Youth have a status of remand when they are being detained in custody under a "remand warrant" and are typically awaiting a court appearance.<sup>3</sup> If the youth is processed by formal means through the court system, a youth court will hear the youth's case. If the youth pleads guilty or if the youth court finds the youth guilty, the youth will be given a disposition (sentence) for the offence(s) committed. The youth court judge may give a variety of dispositions ranging from an absolute discharge to secure custody.

### Dispositions under the YOA

If sentenced to custody, young offenders are required to serve their disposition in either a secure or open custody facility. As noted previously, each province and territory is responsible for the administration of justice in Canada. Furthermore, in some provinces, administration of youth corrections is shared between social services and corrections. Therefore, the level of restrictions within secure and open custody may vary from one jurisdiction to another.

In addition to custodial dispositions, the court has the option of ordering a variety of community-based dispositions. These options include probation, community services, personal services, fines, compensation and restitution. Probation dispositions are ordered for a specified period of time and may not exceed two years in length. Additionally, the court may order special conditions of probation such as residing in a specific location, attending school, or refraining from frequenting a certain location. A combination of custodial and non-custodial dispositions may also be ordered.

## YOUTH ADMISSIONS TO CUSTODY AND PROBATION

Youth admission data describe and measure the changing case-flow of young offenders within youth correctional facilities and programs. These data are one indication of workload and provide a profile of program participation within the youth correctional system. An admission occurs when a young offender commences a particular custody type (remand, secure or open) or probation under the authority of the Provincial/Territorial Director responsible for the administration of youth corrections and/or programs. For the YCCS survey, a new admission is counted each time an offender changes status.

In 1998-99, there were 77,959 admissions to youth custody or probation (see Table 1)<sup>4</sup> in Canada. Excluding Saskatchewan (this province was unable to report admissions for the reporting period 1997-98), the total number of admissions to custody or probation declined 6%, from 80,068 in 1997-98 to 75,221 in 1998-99.<sup>5</sup>

### Amendments to the YOA

Since 1984, when the YOA came into force, academic researchers point to a number of factors that led to subsequent amendments of the Act, including public criticism and the perception that the legislation was incapable of effectively addressing youth violent crime (i.e., delays in transferring violent youth offenders to adult court). In 1992, the maximum sentence for murder in youth court was increased to five years less a day and the transfer provisions stipulated that in transfer hearings the protection of the public was to be the paramount consideration.

Another set of amendments, enacted in 1995, reinforced a "get tough" approach and increased the maximum youth court sentence for murder to ten years and facilitated transfer of youth charged with the most serious offences to adult court where longer sentences could be imposed. Additional amendments at this time emphasized the rehabilitative themes of the YOA and attempted to increase the use of community-based dispositions for youths who did not pose a risk of serious harm to the public (Bala, 1997).

As it stands now, the YOA permits youth aged 14 years or older, charged with an indictable offence to be transferred to adult court. The YOA also stipulates that 16 and 17 year-olds charged with serious violent offences such as murder or attempted murder are automatically transferred to adult court unless the accused can convince the youth court judge to keep the trial in youth court.

### Proposed Youth Criminal Justice Act

Bill C-3, the *Youth Criminal Justice Act* (YCJA) was introduced in the House of Commons on October 14, 1999. Intended to replace the *Young Offenders Act*, the bill was developed and based upon *A Strategy for the Renewal of Youth Justice*, released by the federal government in May 1998 as its response to *Renewing Youth Justice*, April 1997 Report to the House of Commons Standing Committee on Justice and Legal Affairs (Douglas & Goetz, 2000). The proposed legislation will:

- expand the offences for which a young person convicted of an offence would be presumed to receive an adult sentence from murder, attempted murder, manslaughter and aggravated sexual assault to include a new category of a pattern of serious violent offences;
- lower the age for youth who are presumed to receive an adult sentence for the above offences to include 14- and 15-year-olds;
- permit the publication of names of all youth who receive an adult sentence;
- create a special sentence for serious violent offenders who suffer from mental illness, psychological disorder or emotional disturbance;
- require all periods of custody to be followed by a period of controlled supervision in the community to support safe and effective reintegration; and,
- allow for and encourage the use of a full range of community-based sentences and effective alternatives to the justice system for youth who commit non-violent offences (Department of Justice Canada, 1999).

<sup>1</sup> Within jurisdictions, alternative measures may be offered at the pre-charge stage (i.e., before the charges are laid), the post-charge stage (i.e., after the charges are laid), or both.

<sup>2</sup> The YCCS survey does not maintain data on AM. For more information on AM, refer to Engler, C. and Shannon Crowe (2000), *Alternative Measures in Canada and MacKillop, B. (1999), Alternative Measures in Canada, 1998.*

<sup>3</sup> Although remand is not defined by the YOA as a disposition, the YCCS survey recognizes remand as a custody status.

<sup>4</sup> The number of admissions excludes probation admissions in Manitoba and remand admissions in Saskatchewan.

<sup>5</sup> The 1997-98 and 1998-99 figures exclude all Saskatchewan admissions, as well as Manitoba probation admissions which were not reported in 1997-98 or 1998-99.

Table 1

### Admissions to remand, secure and open custody and probation, 1998-99

Jurisdiction	Total	Remand	Secure custody	Open custody	Probation
<b>Total reported</b>	<b>77,959</b>	<b>24,061</b>	<b>7,823</b>	<b>8,321</b>	<b>37,754</b>
Newfoundland	1,396	212	195	199	790
Prince Edward Island	163	35	31	19	78
Nova Scotia	2,446	343	62	362	1,679
New Brunswick	1,621	291	279	193	858
Quebec	13,058	2,447	1,299	1,160	8,152
Ontario <sup>1</sup>	37,152	13,626	3,564	3,839	16,123
Ontario MCSS	22,941	8,783	1,880	2,769	9,509
Ontario MSGCS	14,211	4,843	1,684	1,070	6,614
Manitoba	2,322	1,636	238	448	..
Saskatchewan	2,738	..	332	449	1,957
Alberta	7,940	2,851	999	703	3,387
British Columbia	7,971	2,393	660	824	4,094
Yukon	267	93	52	26	96
Northwest Territories	885	134	112	99	540

.. figures not available

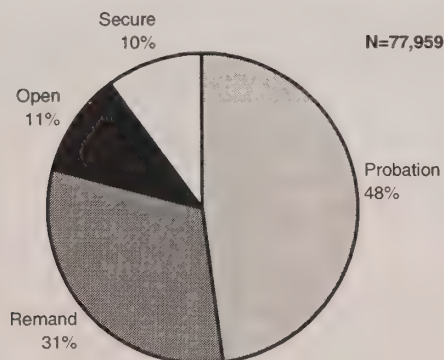
<sup>1</sup> Ontario is represented by two jurisdictions: The Ontario Ministry of Community and Social Services (Ontario MCSS) is responsible for young offenders between the ages of 12 and 15 and The Ontario Ministry of the Solicitor General and Correctional Services (Ontario MSGCS) is responsible for young offenders aged 16 or 17.

Source: Youth Custody and Community Services Survey, CCJS.

As a proportion of total admissions, probation accounted for close to one-half (48%), followed by remand (31%), open custody (11%) and secure custody (10%) (see Figure 2). Since 1997-98, these proportions have remained relatively unchanged.

Figure 2

#### Probation accounted for the largest share of youth correctional admissions in 1998-99\*



\* Saskatchewan was unable to report remand admissions and Manitoba was unable to report probation admissions.

Source: Youth Custody and Community Services Survey, CCJS.

#### Initial entries into remand, custody and community services

For the YCCS survey, admission data measure the number of commencements to specific types of programs (i.e., remand, custody and probation) for youth under the authority of the Provincial/Territorial Director. The YCCS survey also reports the initial entry, which is the first commencement to a period of uninterrupted supervision under the authority of the Provincial/Territorial Director.

Generally, most correctional systems report these activities within the concept of a "case", where a unique offender commences a period of uninterrupted supervision and subsequent admissions to different types of programs until they are finally released (i.e., no longer under the authority of the Provincial/Territorial Director).<sup>6</sup>

For those jurisdictions that were able to provide initial entry statistics for 1998-99, there were 42,806 initial entries to youth corrections<sup>7</sup>. Initial entries to remand accounted for 40% of the total reported, followed by initial entries to probation (37%), community services programs (12%), open custody (6%) and secure custody (5%).

<sup>6</sup> For more information on the concept of admission and initial entry, please see the methodology section of this Juristat.

<sup>7</sup> Newfoundland, Prince Edward Island, Ontario MSGCS, Manitoba, Saskatchewan, Alberta, Yukon and the Northwest Territories reported initial entries for 1998-99. Nova Scotia was unable to report community service initial entries and Ontario MCSS was unable to report remand initial entries. New Brunswick and Quebec were unable to report any initial entry data.



## CUSTODY ADMISSIONS

As indicated in the previous section, over one-half (52%) of all youth admissions were admissions to custody in 1998-99. The following section examines custody admissions as remand admissions and sentenced custody admissions. It is important to note that although remand is not a specific disposition under the YOA, because of the custodial nature of remand detention, the YCCS survey includes remand as a custody admission. Furthermore, sentenced custody includes both secure and open custody admissions resulting from a youth court decision.

The first part of this section provides an overview of custody admissions. The second examines the number and characteristics (e.g., length of time served) of youth admissions to remand and compares it to overall custody admissions. The third examines sentenced custody, with some focus on the use of open and secure dispositions. To begin the discussion on custody admissions, a useful way to standardize admission statistics, such that they may be compared over time and across jurisdictions, is by producing rates of custody admissions using youth population figures (or rate per 10,000).

In 1998-99, the total custody admission rate was 164 custody admissions per 10,000 youth in the population (see Table 2). Excluding Saskatchewan, this represents a decrease of 8% since 1997-98 when a rate of 182 admissions per 10,000 youth was reported.<sup>8</sup>

Similar to the findings reported in 1997-98, the highest 1998-99 rates of custody admissions occurred in the Yukon (568 per 10,000 youth) and Northwest Territories (495 per 10,000). Among provinces, Manitoba (239 per 10,000) and Ontario (232 per 10,000) had the highest rates while Prince Edward Island (70 per 10,000 youth) and Quebec (87 per 10,000 youth) had the lowest. This finding for Quebec is consistent

with other youth justice statistics. Youth court data for 1998-99 show that the rate of youth court cases in Quebec was the lowest in the country at 201 cases per 10,000 youth (the national rate was 435 per 10,000) (Carrière, 2000). Research has also shown that Quebec's rate of youth charged with a federal statute offence was much lower than the Canadian average (Stevenson, Tufts, Hendrick & Kowalski, 1998).

Since 1997-98, custody admission rates declined in most jurisdictions, with the exception of Newfoundland (no change), the Northwest Territories (+1%), Nova Scotia and Quebec (both +6%). The most substantial decreases were reported for Prince Edward Island (-38%) and Yukon (-31%).<sup>9</sup>

### Differences among jurisdictions

When examining the data contained in this *Juristat* and the trends and differences between jurisdictions, it is important to consider that these data are as much a reflection of the administration of youth justice across Canada as they are an indication of delinquency.

One factor that may contribute to differing trends is the use of informal (e.g., police discretion) and formal diversion measures (e.g., Alternative Measures) by police and crown. Such diversion methods impact the case-flow and caseload on correctional facilities and programs. For example, research suggests (Doob & Sprott, 2000) that Quebec's frequent use of diversion, away from the formal justice system, may help explain why it recently reported the lowest rate of youth court cases in the country (201 cases per 10,000) (Carrière, 2000); as well as, the second lowest rate of youth correctional admissions (232 per 10,000).

<sup>8</sup> Saskatchewan was unable to report admissions in 1997-98. Therefore, for comparison purposes, the 1998-99 national rate was calculated at 167 custody admissions per 10,000 youth excluding Saskatchewan.

<sup>9</sup> Note that the larger percentage differences reported here could be a reflection of smaller counts of admissions and youth population in these two jurisdictions.

Table 2

### Custody admission rates, 1998-99

	Youth population	Remand		Secure		Open		Total		% change from previous year
		#	Rate (per 10,000 youth)	#	Rate (per 10,000 youth)	#	Rate (per 10,000 youth)	#	Rate (per 10,000 youth)	
<b>Total<sup>1</sup></b>	<b>2,451,946</b>	<b>24,061</b>	<b>98</b>	<b>7,823</b>	<b>32</b>	<b>8,321</b>	<b>34</b>	<b>40,205</b>	<b>164</b>	<b>-8*</b>
Newfoundland	49,576	212	43	195	39	199	40	606	122	-
Prince Edward Island	12,102	35	29	31	26	19	16	85	70	-38
Nova Scotia	75,401	343	45	62	8	362	48	767	102	6
New Brunswick	61,812	291	47	279	45	193	31	763	123	-14
Quebec	562,937	2,447	43	1,299	23	1,160	21	4,906	87	6
Ontario	906,498	13,626	150	3,564	39	3,839	42	21,029	232	-10
Manitoba	97,334	1,636	168	238	24	448	46	2,322	239	-9
Saskatchewan	96,609	..	..	332	34	449	46	..	..	..
Alberta	261,015	2,851	109	999	38	703	27	4,553	174	-14
British Columbia	318,687	2,393	75	660	21	824	26	3,877	122	-11
Yukon	3,009	93	309	52	173	26	86	171	568	-31
Northwest Territories	6,963	134	192	112	161	99	142	345	495	1

.. figures not available

- nil or zero

\* In order to compare the 1997-98 and 1998-99 national rates, Saskatchewan was excluded (Saskatchewan did not report admissions in 1997-98). Excluding Saskatchewan, the 1998-99 national rate was calculated at 167 custody admissions per 10,000 youth.

<sup>1</sup> Note that the total number of remand admissions and total number of custody admissions do not include Saskatchewan remand admissions.

Source: Youth Custody and Community Services Survey, CCJS and Annual Demographic Statistics, 1998, Demography Division, Statistics Canada.

## Remand Admissions

Although remand represents the bulk of custody admissions, the "temporary nature" of remand denotes a relatively short period of detention. More specifically, youth held in remand awaiting a trial on a specific set of charges are considered innocent until the youth court has made a determination. This contributes to the relatively short period of time served in remand compared to sentenced custody.

Youth are generally admitted into remand because the youth court has denied them bail (i.e., release prior to court hearing) which is usually based on the determination that the youth poses a danger to society or there may be a chance that they will not appear for their court hearing. As such, most youth held in remand are awaiting a court hearing, or they may be awaiting sentencing.

Youth admissions to remand have declined slightly (-5%) since 1997-98. In 1998-99, there were 24,061 remand admissions, accounting for 60% of total youth custody admissions.<sup>10</sup> As Figure 3 shows, Western Canada reported a greater proportion of custody admissions to remand than Eastern Canada. Manitoba had the highest proportion of remand admissions (70%) while Newfoundland had the lowest (35%). For each jurisdiction, remand admissions, as a proportion of total custody admissions, were similar to what was reported in 1997-98.

Expressed as a rate, in 1998-99 there were 98 youth admissions to remand per 10,000 youth population (refer to Table 2). Among provinces, the highest rate of remand admissions was reported in Manitoba (168 per 10,000 youth) followed by Ontario (150 per 10,000). The lowest rates were reported in Prince Edward Island (29 per 10,000) and Newfoundland and Quebec (both 43 per 10,000).

For the YCCS survey, if a youth is being held for multiple offences related to a single incident, only the most serious

offence (MSO) is reported within an admission. Therefore, more serious offences will be reported than those that are less serious in nature. In those jurisdictions that were able to report admissions by MSO<sup>11</sup>, property offences accounted for the highest proportion of remand admissions (37%). Violent offences (23%), other *Criminal Code* (18%) and YOA (18%) offence admissions followed. These results are similar to those seen in 1997-98 and support other research that has shown that youth tend to commit more property offences than other types of offences (Stevenson et al., 1998).

Within most jurisdictions, property offences accounted for the largest part of the admissions to remand. However, in Nova Scotia, other *Criminal Code* offences accounted for the largest share (44%) while in British Columbia, YOA offences accounted for the largest share (33%) of remand admissions. In New Brunswick, other *Criminal Code* offences were just as common as property offences (each 31% of the total).

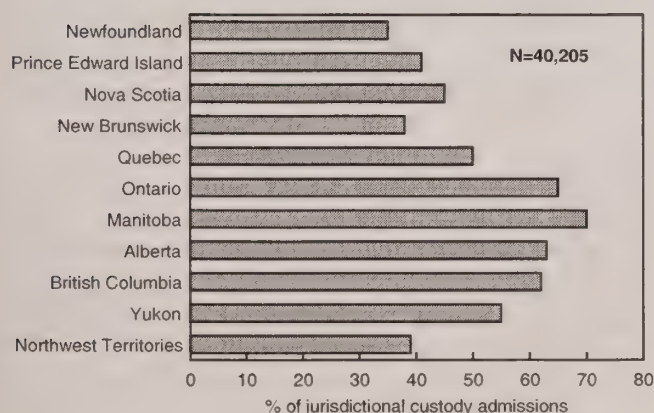
## Male remand admissions out-numbered females four to one

It is generally understood that, as with adults, the majority of youths involved in crime are males. For example, of those youth charged with a *Criminal Code* offence in 1999, 77% were male and 23% were female (Tremblay, 2000). Similarly, youth court data showed that in 1998-99, eight in ten youth court cases were male (Carrière, 2000). Admission data also reflect this pattern. In 1998-99, 79% of all admissions to remand were male and 21% were female. Jurisdictions reported similar proportions by sex. At the time of admission to remand, 70% of males and 57% of females were 16 or 17 years of age.

The YCCS survey also collects self-reported data on Aboriginal status. The data from 1998-99 show that Aboriginal youth were over-represented among youth admitted to remand. Of reporting jurisdictions where Aboriginal status was known<sup>12</sup>, Aboriginal youth admissions made up 37% of the total admissions to remand. In comparison, Aboriginal youth made up only 7% of youth aged 12 to 17 in those jurisdictions. The most disproportionate representation was evident in the western provinces. In Manitoba, for example, 69% of youth admissions into remand were identified as being Aboriginal, whereas only 16% of Manitoba's youth population were Aboriginal. In Alberta, 33% of youth remand admissions were Aboriginal, compared to 6% of the youth population. In comparison, Aboriginal youth accounted for 4% of youth remand admissions and 2% of the general youth population in the reporting eastern provinces (Newfoundland, Prince Edward Island and Nova Scotia).

Figure 3

### Admissions to remand varied among provinces and territories in 1998-99\*



\* Saskatchewan was unable to report remand admissions.

Source: Youth Custody and Community Services Survey, CCJS.

<sup>10</sup> This figure excludes Saskatchewan remand admissions, which were not reported.

<sup>11</sup> Reporting jurisdictions include Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, Ontario MSGCS, Manitoba, Alberta, British Columbia, Yukon and the Northwest Territories. Ontario MCSS, Quebec, Saskatchewan and Yukon were unable to provide data on remand admissions by MSO.

<sup>12</sup> Newfoundland, Prince Edward Island, Nova Scotia, Manitoba, Alberta, British Columbia, Yukon and the Northwest Territories reported remand admissions by Aboriginal status. New Brunswick, Quebec and Saskatchewan were unable to report remand data by Aboriginal status. Ontario was excluded from the analysis because Ontario MCSS was unable to provide remand admissions by Aboriginal status.

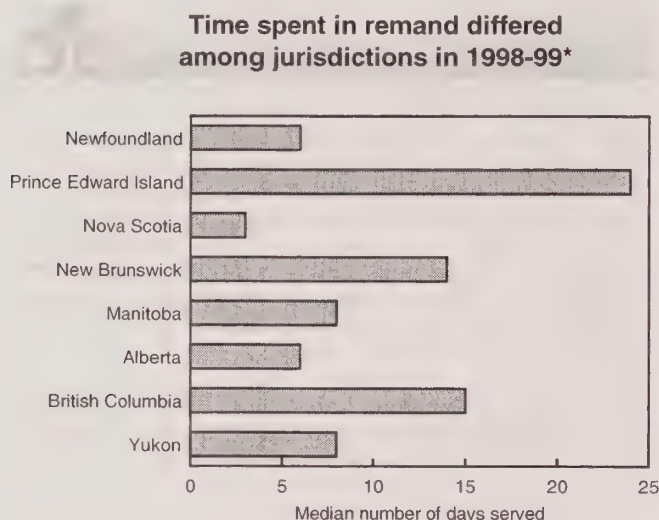


## Time spent in remand was generally less than one month

Youth can be transferred from remand into another form of supervision (sentenced custody or probation) or they can be found not guilty and released. In 1998-99, the majority of youth remand releases occurred after one week or less (53%), followed by those that spent between one week and one month (29%). Only 1% of youth remand releases took place after a period of more than 6 months – not surprising given that remand is generally considered a temporary custody status.

Jurisdictional differences appear when comparing length of time spent in remand (see Figure 4). Prince Edward Island, for example, reported the longest period of stay (median time served was 24 days), while Nova Scotia had the shortest median time served (3 days).

Figure 4



\* Quebec and Saskatchewan were unable to report releases from remand. Ontario and Northwest Territories were unable to fully report remand release data.

Source: Youth Custody and Community Services Survey, CCJS.

## Sentenced Custody Admissions (Secure and Open)

In 1998-99, there were 16,144 admissions to sentenced custody (i.e., secure and open custody) or 66 admissions for every 10,000 youth in Canada. They accounted for 40% of all custody admissions (open custody, 21% and secure custody, 19%). Excluding Saskatchewan<sup>13</sup>, sentenced custody admissions have decreased by about 11% since 1997-98.

At the national level, secure and open admission rates were similar at 32 and 34 admissions per 10,000 youth respectively (refer to Table 2). However, there was a great deal of variation among provinces in terms of admission rate.<sup>14</sup> Secure custody admission rates ranged from 8 per 10,000 youth in Nova Scotia to 45 admissions per 10,000 youth in New Brunswick.

## Dispositions for murder

Under the YOA, a youth court judge can sentence a youth found guilty of an offence to custody for a period not exceeding two years for a single offence and not more than three years for multiple offences except in the case of first-degree or second-degree murder. For first-degree murder, a young offender can receive a period of supervision of up to ten years, up to a maximum of six years in custody. In the case of second-degree murder, the maximum period of supervision is seven years with a limit of four years in custody. The most severe disposition a young offender can receive is a sentence to secure custody, while open custody is considered less restrictive.

Open custody admissions ranged from 16 per 10,000 youth in Prince Edward Island to 48 per 10,000 youth in Nova Scotia. Within most jurisdictions, secure and open custody admission rates tended to be similar.

## Property offences accounted for the majority of sentenced custody admissions

Similar to remand admissions, for reporting jurisdictions where MSO was known,<sup>15</sup> youth admissions to sentenced custody were most likely to be for property offences (43%). Break and enter accounted for close to one-half of all property offences (43%), followed by theft \$5,000 and under (20%), possession of stolen goods (17%), other property offences (14%), and theft over \$5,000 (5%). Violent offences accounted for the second largest share of all sentenced custody admissions (22%), followed by YOA offences (20%), other Criminal Code (10%), drug-related (2%) and other provincial/municipal and other federal offences (2%). This pattern follows that of cases processed through youth courts. In 1998-99, youth court cases most often involved property crimes (43%) and violent crimes (22%) (Carrière, 2000).

Figure 5 provides a further breakdown of sentenced custody admissions by specific MSO category. YOA offences (20%) and break and enter offences (18%) were most common. The least common offences included theft over \$5,000 (2%), drug related (2%), provincial/municipal and other federal (2%) and sexual assault offences (1%).

Admissions to sentenced custody (both secure and open) by MSO varied among provinces. New Brunswick, for instance, reported the lowest proportion of violent offences (13%) while Manitoba reported the highest (32%). Property offence admissions ranged from 30% of all sentenced custody admissions in British Columbia to 53% in Newfoundland.

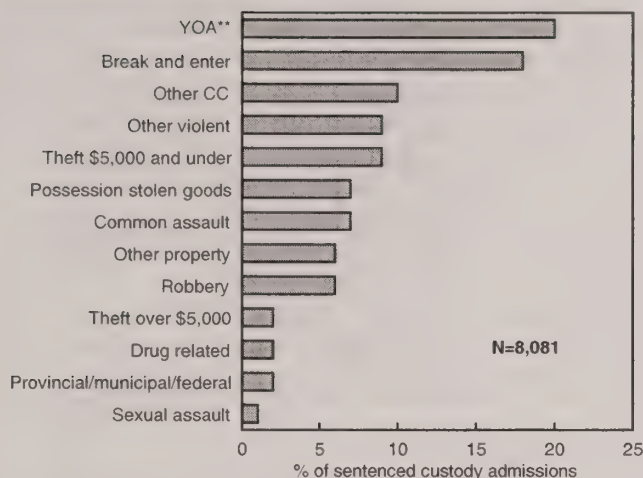
<sup>13</sup> Saskatchewan was excluded because 1997-98 admissions data for this jurisdiction were unavailable.

<sup>14</sup> It is important to note that the administration of youth justice and the way secure and open custody facilities are used varies significantly across the country. Please refer to the glossary section for a more detailed explanation.

<sup>15</sup> Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, Ontario MSGCS, Manitoba, Alberta, British Columbia and Yukon were able to report secure and open custody admissions by MSO. Quebec, Ontario MCSS and Saskatchewan were unable to fully report secure and open custody admissions by MSO. The Northwest Territories was able to report open custody admissions by MSO but not secure custody admissions.

Figure 5

### Two most serious offences accounted for more than one-third of sentenced custody admissions in 1998-99\*



\* Reporting jurisdictions include Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, Ontario MSGCS, Manitoba, Alberta, British Columbia and Yukon.

\*\* YOA offences include offences such as failure to comply with a disposition, and contempt against youth court. Youth can be charged under the YOA usually when they fail to comply with a court-ordered disposition.

Source: Youth Custody and Community Services Survey, CCJS.

### Almost five times as many male sentenced custody admissions than female

Similar to remand, the majority of sentenced custody admissions were male. In 1998-99, 83% of reported sentenced custody admissions were male and 17% were female<sup>16</sup>. Both secure and open custody admissions showed a similar breakdown by sex.

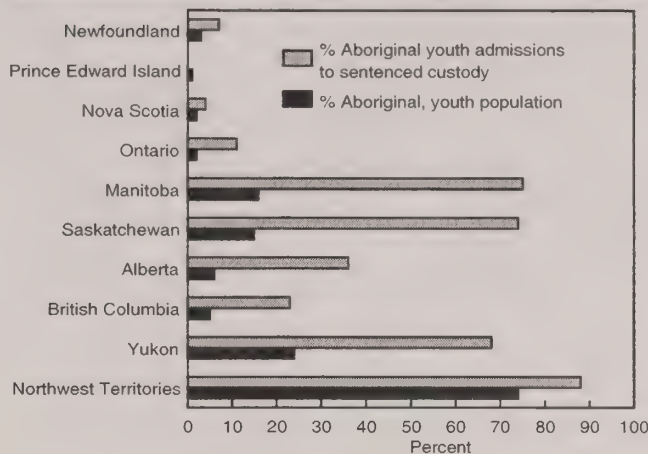
Female sentenced custody admissions tended to be younger than male admissions. One-half (50%) of male sentenced custody admissions were 16 or 17 years of age compared to 40% of female admissions. Little variation existed in terms of age and sex among the jurisdictions.

### Aboriginal youth over-represented in sentenced custody admissions

In the reporting jurisdictions where Aboriginal status was known, Aboriginal youth admissions accounted for nearly one-quarter (24%) of the total admissions to sentenced custody<sup>17</sup>. As Figure 6 shows, with the exception of Prince Edward Island, Aboriginal youth were over-represented in each reporting jurisdiction, particularly among the western provinces. In Manitoba, for example, three-quarters (75%) of sentenced custody admissions were identified as Aboriginal even though 16% of Manitoba's youth population were Aboriginal. The situation in Saskatchewan was similar, where 74% of youth admissions were Aboriginal, while only 15% of the youth population in that province were Aboriginal.

Figure 6

### Representation of Aboriginal youth admissions to sentenced custody and in the general Canadian youth population, 1998-99\*



\* New Brunswick and Quebec were unable to report sentenced custody admissions by Aboriginal status. Figure excludes Unknown numbers.

Source: Youth Custody and Community Services Survey, CCJS and Statistics Canada, 1996 Census: Aboriginal population.

### Sentence lengths for open and secure custody admissions varied by jurisdiction

The YOA outlines the type and length of disposition, which the youth court may impose on a youth for specific types of offences. This to some extent impacts how the data on sentence length (and time served) are reported by the YCCS survey. In the case of custodial dispositions, with the exception of first and second degree murder and other offences subject to life imprisonment, the maximum disposition length the youth court may impose is two years. Furthermore, corrections officials have noted that most custody admissions progress from secure custody to a period of open custody.

Admission data for 1998-99 show that jurisdictions differed widely in the length of sentence for secure custody admissions compared to open custody admissions. British Columbia, for instance, reported similar median sentence lengths for both secure and open custody (30 days each). In comparison, Alberta reported a median sentence length of 30 days for secure custody and 75 days for open custody.

When examining sentence lengths, it is important to note that admissions to custody by sentence length and releases from custody by time served are two different types of statistics. When a youth court judge sentences a youth, a period of

<sup>16</sup> New Brunswick and Quebec were unable to report sentenced (both secure and open) custody admissions by sex and age.

<sup>17</sup> In those jurisdictions that reported "Aboriginal status", 7% were unknown. In 1997-98, there was a much larger proportion of unknowns, 24%. A comparison of the 1998-99 data with that of 1997-98, therefore, was not included. New Brunswick and Quebec were unable to report sentenced custody admissions by Aboriginal status.



custody is stipulated. Events such as appeals, reviews, escapes, administration of new dispositions and the like can affect the amount of time served. It is also important to note that the median sentence lengths (and actual time served), presented separately for secure and open custody, underestimate the total length of time sentenced and served by youth in custody, given the frequent combination of open custody following secure custody.

In 1998-99, there were 6,237 secure custody releases reported and 6,985 open custody releases reported.<sup>18</sup> Similar to 1997-98, time served in secure custody was less than that served in open custody during 1998-99, a median of 31 days served compared to 90 days, respectively.<sup>19</sup> Longer secure custody periods were reported in Nova Scotia (a median of 85 days) and Manitoba (92 days) compared to British Columbia (29 days). For open custody, New Brunswick reported the highest median number of days served (126), in contrast to the lowest median number of days served in British Columbia (29).

The absence of sentence remission (time off for good behaviour) and parole for young offenders under the YOA means that they normally serve the majority of their sentence. A comparison between sentence lengths for admissions (i.e., what is ordered by the court to be served) and actual time served within jurisdictions, showed little difference between the two.

### Time served for male releases was higher than that for female releases

In 1998-99, the overall median number of days served in secure custody was 45 days for male releases, compared to 21 days for female releases.<sup>20</sup> In open custody, the median time served for males was 90 days compared to 60 days for females. Only 6% of female releases and 12% of male releases from sentenced custody occurred after a period longer than 6 months.

Several factors can help explain the longer time served by male youth, including overall differences in the types of offences committed and re-offending. Males tend to commit more serious offences than females. The rate of male youth charged with violent crime, for example, has been shown to be close to three times that of female youth (Savoie, 1999; Stevenson et al., 1998). Another contributing factor to sentence length is prior offence convictions and males tend to re-offend at a higher rate than females. Of the cases involving male youth who were convicted in 1998-99, 44% had been previously convicted, compared with 34% of female offenders (Carrière, 2000).

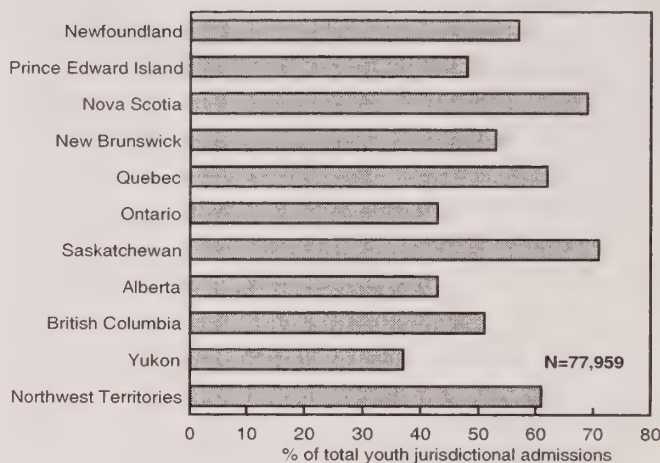
## PROBATION ADMISSIONS

As was seen earlier in Figure 2, almost one-half (48%) of all youth admissions were to probation in 1998-99.<sup>21</sup>

Probation admissions varied among provinces from a low of 43% of total youth admissions in Ontario and Alberta, to a high of 71% in Saskatchewan (see Figure 7).<sup>22</sup> Generally, probation admissions data were largely unchanged from 1997-98.

Figure 7

**In most jurisdictions, probation accounted for more than one-half of all youth admissions in 1998-99\***



\* Manitoba was unable to report probation admissions. Note that the total number of youth admissions in Saskatchewan does not include remand admissions.

Source: Youth Custody and Community Services Survey, CCJS.

Again, when examining probation in terms of most serious offence (MSO), property offences accounted for the majority of probation admissions (52%), followed by violent offences (27%). Break and enter accounted for almost one-fifth of probation admissions (18%), followed by theft \$5,000 and under (13%), common assault (13%) and other *Criminal Code* offences (10%) (see Figure 8).

In 1998-99, the majority of reported probation admissions were male (77%). Twenty-three percent were female, a slightly higher proportion than those admitted to remand or sentenced custody.

Male probation admissions were most likely to be 16 or 17 years of age (47%) whereas 40% of female admissions fell into this age group.

Once again, probation admissions show an over-representation of Aboriginal youth, particularly among the western provinces. However, the degree of Aboriginal over-representation within probation is less than that shown in custody (remand and sentenced custody). In jurisdictions that were able to report both custody and probation

<sup>18</sup> Reporting jurisdictions include Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Manitoba, Alberta, British Columbia, Yukon and Northwest Territories. Quebec and Saskatchewan were unable to report release data.

<sup>19</sup> Only those jurisdictions which submitted micro-data were used in determining the overall median sentence lengths: Newfoundland, Prince Edward Island, Manitoba and Alberta.

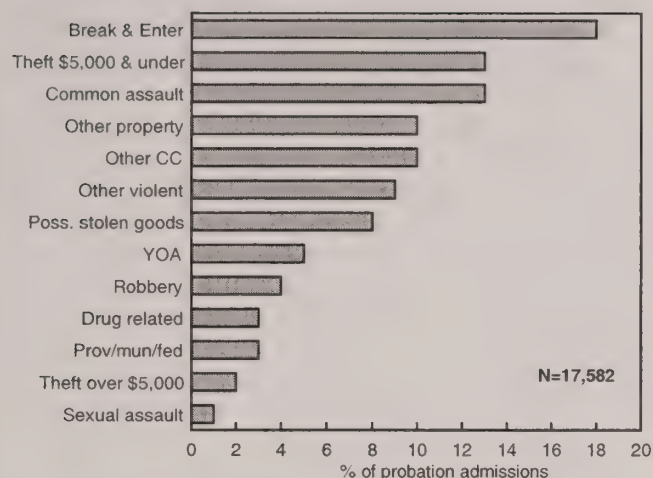
<sup>20</sup> Only those jurisdictions which submitted micro-data were used in determining the overall median sentence lengths: Newfoundland, Prince Edward Island, Manitoba and Alberta.

<sup>21</sup> Manitoba was unable to provide probation data for 1998-99.

<sup>22</sup> Note that the total number of youth admissions in Saskatchewan does not include remand admissions.

Figure 8

**In 1998-99 admissions to probation were most common for the most serious offence of break and enter\***



\* Quebec, Ontario MCSS, Manitoba, Saskatchewan and Northwest Territories were unable to report probation admissions by MSO.

Source: Youth Custody and Community Services Survey, CCJS.

admissions by Aboriginal status<sup>23</sup>, Aboriginal youth accounted for 18% of probation admissions (compared to 26% of custody admissions). In these jurisdictions, Aboriginal youth accounted for only 5% of the general youth population. Differences between Aboriginal and non-Aboriginal youth in the type of offences committed, the number of offences, past criminal history, and so on, may exist and may explain the varying degrees of over-representation. However, further exploration of these factors is required.

### Most probation admissions sentenced to more than six months

The majority of probation admissions received sentences longer than six months (84%). Similar to 1997-98, the overall median number of days sentenced was 365,<sup>24</sup> however some variation did exist between jurisdictions. British Columbia (360), Yukon (320 days), New Brunswick (316) and Alberta (273) reported lower median sentence lengths.

Overall, males had longer probation sentences than females (a median of 365 days compared to 270 days).<sup>25</sup> Conversely, in Prince Edward Island the reported median number of days sentenced for females was 545, compared to 365 days for male probation admissions.

<sup>23</sup> Newfoundland, Prince Edward Island, Nova Scotia, Alberta, British Columbia and Yukon were able to report both custody (remand and secure and open custody) and probation admissions by Aboriginal status in 1998-99.

<sup>24</sup> The overall median is based on only those jurisdictions that submitted micro data: Newfoundland, Prince Edward Island, Manitoba and Alberta.

<sup>25</sup> The overall medians for males and females are based on only those jurisdictions that submitted micro data: Newfoundland, Prince Edward Island, Manitoba and Alberta.

### Youth Key Indicator Data

Youth key indicator data provide a different view of the youth correctional system when compared to admission data. While admission data represent the movement of young offenders in and out of supervision (or case-flow), the Key Indicator Report maintains data on the "daily average counts" (or caseload), which measure the volume of offenders held in custody or on probation at a given point in time. Although the key indicator data are rather general in nature, they are an important and well-established management tool for corrections officials. The use of such indicators is particularly important for monitoring trends in correctional populations and to assist policy makers and corrections officials in decision making. These data are also used by academics to study trends in the youth correctional system over time and across jurisdictions by examining incarceration and probation rates (per 10,000).

Custody and probation counts, as well as custody incarceration rates and probation rates for 1998-99 are summarized in Table 3.

Table 3 shows that among reporting jurisdictions, the average number of young offenders on probation at any given time is much higher than the average number of young offenders in custody. This finding was not unexpected given that youth sentenced to probation tend to receive longer sentences than those sentenced to custody; and as a result, are more likely to be included in the daily counts.

The table also reveals that both custody incarceration rates and probation rates varied across the country. In British Columbia, for example, there were 11 young offenders in custody for every 10,000 youth. In comparison, the custody rate in Saskatchewan was 41 young offenders per 10,000 youth. Probation rates ranged from 124 young offenders in probation per 10,000 youth in Alberta, to 225 per 10,000 in Prince Edward Island.

#### Five-year trend: custody<sup>26</sup>

From 1994-95 to 1998-99, most jurisdictions reported decreases in their custodial counts. Prince Edward Island reported the largest decrease (-36%) from an average of 36 young offenders in custody in 1994-95 to 23 in 1998-99. On the other hand, Saskatchewan, over the same period, reported a 13% increase, from an average of 351 to 398 young offenders in custody.

Over this period, only one reporting jurisdiction experienced an increase in custody incarceration rate, Saskatchewan (+12%).

#### Five-year trend: probation<sup>27</sup>

Between 1994-95 and 1998-99, five of nine reporting jurisdictions reported decreases in their probation counts. Prince Edward Island (-43%) reported the largest decrease, followed by Newfoundland (-14%), New Brunswick (-12%), and Nova Scotia and British Columbia (both -7%). Saskatchewan reported the largest increase in probation count (+26%), followed by Manitoba (+15%), Alberta (+6%) and Ontario (+3%).

Over this period, most jurisdictions reported decreases in their youth probation rates. The most substantial decline occurred in Prince Edward Island (-43%), followed by British Columbia (-16%). Saskatchewan (+24%) and Manitoba (+12%) were the only jurisdictions to experience increases in the youth probation rate over this period.

<sup>26</sup> Average count data for Quebec were not available from 1996-97 to 1998-99. Remand/temporary detention data for 12-15 year olds for Ontario are not available from October 1993.

<sup>27</sup> Probation count data were not available for Quebec from 1994-95 to 1998-99, for Northwest Territories from 1997-98 to 1998-99 and for Yukon from 1998-99.



Table 3

## Average number of young offenders, custody and probation, 1998-99

Jurisdiction	Average Count				Custody incarceration rate/10,000 youth	Probation Count	Probation rate/10,000 youth
	Secure custody	Open custody	Remand/temporary detention	Total custody			
Newfoundland	50	51	13	114	23	1,085	219
Prince Edward Island <sup>1</sup>	11	9	3	23	19	272	225
Nova Scotia	21	101	25	147	20	1,340	178
New Brunswick <sup>2</sup>	57	74	12	144	23	1,036	168
Quebec	..	..	..	..	...	..	...
Ontario <sup>3</sup>	809	922	282	2,013	22	18,136	200
Manitoba	84	123	96	303	31	2,021	208
Saskatchewan	187	135	75	398	41	2,026	210
Alberta	157	175	133	465	18	3,194	124
British Columbia	108	153	98	359	11	4,102	129
Yukon	8	3	3	14	48	..	...
Northwest Territories	23	16	6	44	64	..	...

.. figures not available

... figures not appropriate or not applicable

<sup>1</sup> Prince Edward Island: Probation data include alternative measures.<sup>2</sup> New Brunswick: Secure custody counts are daily counts; open custody counts are weekly counts.<sup>3</sup> Ontario: Remand/temporary detention data for 12-15 year olds are not available.**Note:** Due to rounding, figures may not add to totals. The data on this table represent yearly averages.**Source:** Corrections Key Indicator Report for Adults and Young Offenders, 1998-99, Canadian Centre for Justice Statistics, Statistics Canada.

## Methodology

This *Juristat* contains data collected from two different sources (i.e., Youth Custody and Community Services (YCCS) survey and the Key Indicator Report). The YCCS survey maintains both micro and aggregate level data, which are collected by provincial and territorial agencies responsible for the delivery of youth corrections and young offender programs.<sup>28</sup> These data are collected annually on a fiscal year basis (April 1 to March 31). This is the second time these data have been released to the public.

Jurisdictions providing aggregate data complete a set of standard data tables, which are used to compile national data on admissions and releases. Micro data, on the other hand, are extracted directly from provincial operational systems, through the use of interface programs. The interface programs are designed to extract specific data elements and values identified in the National Data Requirements developed by provincial/territorial and federal members of the National Justice Statistics Initiatives. Micro data received by the YCCS survey staff are processed by the YCCS Central System, which edits and loads clean micro data onto the YCCS database. The loaded data are later used to generate admission counts, which are tabulated in the aggregate standard data tables.

It is important to note that for both aggregate and micro level respondents, once the data are processed and compiled into the standard data tables, these data are analysed and returned to the jurisdictions for final verification. The participation of the jurisdictions in the survey process is vital to ensuring data quality and understanding of the differences in provincial and territorial youth justice/correctional systems.

The Key Indicator Report data measure the average number of youth in custody (remand, secure, and open) and on probation. The data are collected annually on a fiscal year basis (April 1 to March 31). Jurisdictions submit monthly counts in aggregate format which are compiled by Correctional Services Program staff. Average counts include all youth on remand and temporary detention, sentenced offenders and other young offenders who are legally required to be at a facility and are present at the time the count is taken by correctional facility officials. Average counts for young offenders on probation include young offenders on supervised probation at the end of the month.

The YCCS standard data tables and the Key Indicator Report data are available in the *Youth Custody and Community Services Data Tables, 1998-99* publication (catalogue number 85-226-XIE).

<sup>28</sup> Those jurisdictions that submitted micro data were: Newfoundland, Prince Edward Island, Manitoba and Alberta. Nova Scotia, New Brunswick, Quebec, Ontario, Saskatchewan, British Columbia, Yukon and the Northwest Territories provided aggregate data only.

### Calculating the unit of analysis

The YCCS survey generates two levels of data that describe the case-flow of youth within correctional facilities and programs: initial entry data and admission data.

Initial entry data indicate at what point or type of supervision the youth first enters the youth corrections system. The second level, admission data, measures the movement of young offenders as admissions to different types of supervision. The following example provides an illustration of how admissions for a unique young offender are calculated by the YCCS survey.

e.g. remand + secure + open + probation (all served consecutively, within one fiscal year)

- i) initial entry: 1 initial entry to remand
- ii) admissions: 1 admission to remand  
1 admission to secure custody  
1 admission to open custody  
1 admission to probation

In this example, the individual youth would generate one initial entry to remand. Typically, one unique youth should always be associated with one initial entry in a given reporting year. However, it is important to point out that if a young offender completes his/her disposition and once again re-enters the system after re-offending in the same reporting year, he/she will generate more than one initial entry.

Four admission counts would be generated in this case: one admission to remand; one admission to secure custody; one admission to open custody; and, one admission to probation. Again, one unique youth could have multiple admissions to similar and different levels of supervision in one reporting period.

It is also important to point out that youth transferred from one facility to another while still under the same level of supervision are not counted as a new admission. As well, new admissions are not counted for young offenders placed in secure custody facilities for a period not exceeding 15 days following an administrative transfer from open custody, or for youth returning from a period of temporary absence.

### Glossary of terms:

**Aboriginal Status:** Indicates whether the youth is Aboriginal. Aboriginal status includes both individuals registered under the *Indian Act* and those that are non-registered. Please note that this variable is self-reported and data availability varies among jurisdictions.

**Admission:** Refers to the youth's commencement of an uninterrupted period of supervision by the Provincial/Territorial Director within a specific status (i.e., remand, secure and open custody and probation). For the YCCS survey, a new admission is counted each time an offender changes status.

**Admission Facility:** The facility to which a young offender is admitted into custody. Please note that the YCCS survey does not track facilities beyond the admitting facility (e.g., administrative and other transfers) unless the offender's status changes. When comparing jurisdictions, please note the following:

- a) facilities may be secure or open custody facilities according to the local designation, the level of supervision, and the extent to which the youths are detained through security measures;
- b) secure facilities in some jurisdictions may be comparable to open facilities in others and vice versa; and
- c) in some jurisdictions, secure custody, open custody and remand are all dealt with at the same facility.

**Custody:** A status that requires the young offender to spend time in a designated correctional facility, either in secure custody, open custody or remand as ordered by the youth court.

**Disposition:** A youth court orders a disposition upon finding a young person guilty of an offence. The type of dispositions include the following:

- a) Custodial dispositions: include secure custody and open custody; and
- b) Community Service dispositions: include probation, community service order, personal service order, compensation, restitution, pay purchaser, fine, prohibition/seizure/forfeiture, other disposition deemed appropriate.

**Initial entry:** Refers to the point or type of supervision that a youth first enters the youth corrections system regardless of supervision status.

**Most Serious Offence:** The YCCS survey categorizes "most serious offence" according to the offence classification scheme currently being used by the Youth Court Survey. Offence types are categorized from most to least serious, as follows: violent, drug related, property, other *Criminal Code*, YOA, and provincial/municipal or other federal offences.

**Open custody:** The *Young Offenders Act* (YOA) defines open custody as "custody in (a) a community residential centre, group home, child care institution, or forest or wilderness camp or (b) any like place or facility". A facility is considered "open" when there is minimal use of security devices or perimeter security.

**Probation:** A common type of community-based disposition where the offender is placed under the supervision of a probation officer or other designated person. This includes both supervised and unsupervised probation.

**Release:** Refers to the completion of an uninterrupted period of supervision by the Provincial/Territorial Director within a specific status (i.e., remand, secure and open custody and probation). For the YCCS survey, a new release is counted each time an offender changes status.

**Remand:** To hold a young person temporarily in custody, pursuant to a Remand Warrant, while awaiting trial or sentencing, or prior to commencement of a custodial disposition.



**Reporting Period:** The subject time period (e.g., fiscal year – April 1 to March 31) during which a youth must be active in order to be extracted for YCCS survey purposes. A youth is active if he/she is under the supervision of the Provincial/Territorial Director of youth corrections (e.g., serving a disposition).

**Secure Custody:** Under the *Young Offenders Act* a facility is considered secure when youths are detained by security devices, including those which operate with full perimeter security features and/or where youths are under constant observation.

**Sentenced custody:** Refers to both secure and open custody.

**Status of supervision:** The status in which the young offender is serving a sentenced disposition (e.g., secure custody, open custody, probation or other community service) as ordered by a youth court or is held temporarily in remand before a court hearing.

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# Juristat

Canadian Centre for Justice Statistics

Statistics Canada – Catalogue no. 85-002-XPE Vol. 20 no. 9



## HOMICIDE IN CANADA - 1999

*Orest Fedorowycz*

### HIGHLIGHTS

- The national homicide rate decreased by 4% in 1999, resulting in the lowest rate (1.76 per 100,000 population) since 1967. The rate has generally been decreasing since the mid-1970s. The 536 homicides in 1999 were 22 fewer than in 1998 and 16% lower than the average number for the previous ten years.
- In general, homicide rates were higher in the west than in the east. British Columbia had the highest provincial rate in 1999, followed by Manitoba. Manitoba's rate, however, was its lowest since 1967. The lowest rates were in Newfoundland, and Prince Edward Island.
- Only British Columbia, Ontario and New Brunswick reported increases in the number of homicides in 1999, although they all were lower than their previous ten-year averages. Saskatchewan dropped from 33 homicides in 1998 to 13 in 1999, resulting in the lowest homicide rate (1.26) since 1963.
- Among the nine largest metropolitan areas, Vancouver reported the highest homicide rate, followed by Hamilton. Toronto had the lowest rate, followed by Calgary. Toronto's rate was its lowest since CMA data were first tabulated in 1981.
- Since 1976, firearms have accounted for about one-third of all homicides each year. This trend continued in 1999, with firearms being used in 31% of all homicides. The 165 shooting homicides in 1999 were up slightly from the 151 recorded in 1998, but much lower than the previous ten-year average of 205. Handguns were used in slightly over half (55%) of all firearm homicides.
- Homicides continue to be committed primarily by someone known to the victim. In 1999, 35% of victims were killed by family members, and 49% by acquaintances. The proportion of homicides committed by strangers (15%) has remained relatively stable over the past ten years. For the remaining 1% of homicides, the relationship was unknown.
- Despite a very slight increase in 1999, spousal homicides have been decreasing since 1991. The 71 victims killed by a spouse in 1999 were one more than in 1998 but 20 fewer than the average number over the past ten years.
- Half (51%) of all female victims and 6% of male victims in 1999 were killed by a person with whom they had an intimate relationship at one point in time, either through marriage or dating.
- Over the last ten years, the rate of youths accused of homicide has remained relatively stable while the rate for adults has generally been decreasing. From 1989 to 1998, 52 youths, on average, were accused of homicide each year, representing 9.1% of all persons accused of homicide. In 1999, 45 youths were accused, accounting for 9.5% of accused persons.
- According to police data, three in five (62%) persons accused of homicide in 1999 had a criminal record. Almost 60% of these persons had been previously convicted of violent crimes including 7 for homicide and 44 for robbery. Of the seven accused with a previous homicide conviction, six committed a homicide in a correctional facility, and the remaining one had completed the sentence and was living in the community.



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## Introduction

The most recent police-reported statistics indicate that the crime rate in Canada has decreased for the eighth consecutive year and is at its lowest point since 1979.<sup>1</sup> Statistics from the United States and from many other countries show similar trends.<sup>2</sup> However, data from studies such as the 1993 General Social Survey (GSS),<sup>3</sup> the 1996 International Criminal Victimization Survey (ICVS),<sup>4</sup> and national polls suggest that many Canadians perceive crime as increasing and fear being a victim of crime in their neighbourhoods. The most feared crimes are those of a violent nature, especially homicide – the killing of one human being by another – which tends to receive more media attention than any other criminal act. Despite this concern among Canadians about violence, the homicide rate has been declining since the mid-1970s.

This *Juristat* examines long-term and short-term trends and the circumstances surrounding homicide incidents. In addition, this report compares rates among major metropolitan areas, provinces and territories, and selected countries.

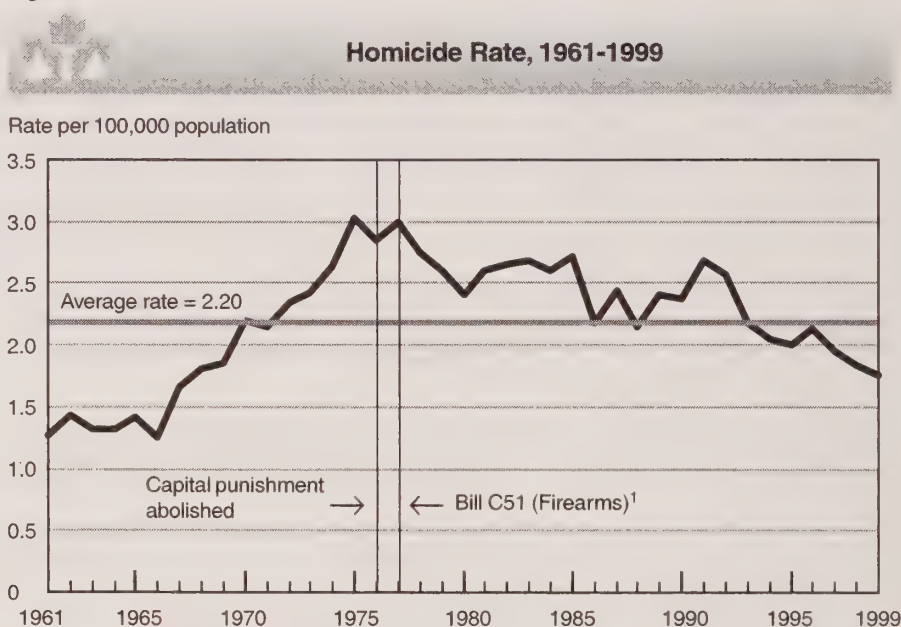
In Canada, criminal homicide is classified as first degree murder, second degree murder, manslaughter or infanticide (see Methodology section for definitions). Deaths caused by criminal negligence, suicide, accidental or justifiable homicide are not included in this classification.

## GENERAL TRENDS

### Lowest homicide rate since 1967

Homicide is a relatively rare occurrence in Canada, accounting for 0.02% of the 2.5 million *Criminal Code* incidents reported to police in 1999. By comparison, there were nearly one and one-half times more attempted murders, almost seven

Figure 1



<sup>1</sup> Firearm Acquisition Certificate required.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.

<sup>1</sup> Tremblay, S. 2000. *Canadian Crime Statistics - 1999*, Juristat, Catalogue 85-002-XPE, Vol. 20 No.5. Ottawa: Statistics Canada.

<sup>2</sup> Information provided by the National Central Bureau, Interpol Ottawa.

<sup>3</sup> The General Social Survey is conducted by Statistics Canada. Results of the 1999 Survey will be available in November 2000. For more information, see – Gartner, R. and A. Doob 1994. *Trends in Criminal Victimization, 1988-1993*, Juristat, Catalogue 85-002, Vol. 14, No. 13. Ottawa: Statistics Canada.

<sup>4</sup> For more information, see – Besserer, S. 1997. *Criminal Victimization: An International Perspective*, Juristat, Catalogue 85-002XPE/F, Vol. 18, No. 6. Ottawa: Statistics Canada.

times more suicides<sup>5</sup>, and over 400 times as many assaults as homicides. The general decline in homicides, evident since the mid-1970s, continued in 1999. There were 536 homicide offences reported, 22 fewer than the previous year, and well below the average of 639 for the previous decade. The 1999 homicide rate of 1.76 per 100,000 population represented a decrease of 4% from 1998, and was the lowest recorded since 1967.

Since 1961, when national homicide statistics were first collected, there have been two distinct trends. After several years of stability, the homicide rate increased steadily from 1.25 per 100,000 population in 1966 to a peak of 3.03 in 1975, an increase of 142%. From 1975 to 1999, despite yearly fluctuations, the homicide rate has gradually declined, reaching a rate of 1.76 in 1999, a decrease of 42% compared to 1975 (Figure 1).

### Homicide rate also decreasing in United States and many other countries

According to preliminary figures, the Federal Bureau of Investigation reported an 8% decrease in the number of homicides in the United States in 1999.<sup>6</sup> There were about 16,000 homicides reported for that year, representing a rate of about 5.80 per 100,000 population. Although Canada's rate is generally three to four times lower than the USA rate, it is still higher than many European countries. For example, England and Wales reported a homicide rate of 1.25 per 100,000 population in 1999, 29% lower than Canada's rate. Although homicide rates increased in Germany and Switzerland, their rates were lower than Canada's (Table 1).<sup>7</sup>

The rate of attempted murders has been declining since 1991, almost parallel to the trend in the homicide rate. In 1999, the rate of attempted murders (2.2 per 100,000 population) fell by 12% from the previous year. Although advanced medical procedures may have prevented some serious assaults from becoming homicides, it appears that the decline in the homicide rate must be a result of other factors.

<sup>5</sup> Statistics Canada. *Causes of Death, Catalogue 84-208, Health Statistics Division, 1999.*

<sup>6</sup> United States Bureau of Justice Statistics.

<sup>7</sup> Information provided by the National Central Bureau - Interpol Ottawa.

Table 1



Homicide Rates for Selected Countries, 1999

Country	Homicide rate per 100,000 population	% Change 1998-1999	Country	Homicide rate per 100,000 population	% Change 1998-1999
Germany	1.24	+5 %	Canada	1.76	-4 %
England & Wales	1.25	-5 %	Hungary	2.48	-12 %
Switzerland	1.26	+19 %	United States	5.80	-8 %
France	1.62	-1 %			

## GEOGRAPHICAL PATTERNS IN HOMICIDE

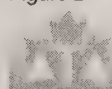
### Homicide rate increases in only three provinces

The decline in the national homicide rate since the mid-1970s is also reflected in the rates for most provinces. The exception has been in the Atlantic Provinces where homicide rates are low to begin with and have remained relatively constant over the last 20 years.

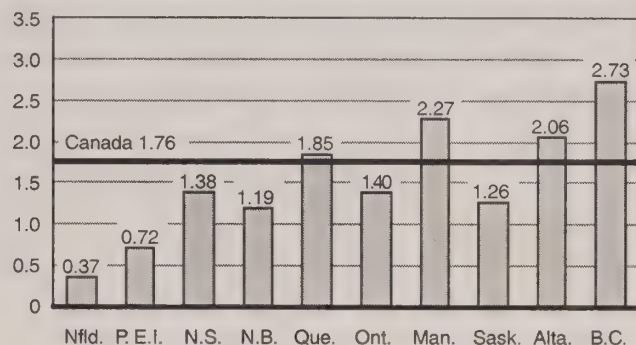
Historically, rates in the Western provinces and the Territories have generally been higher than the national rate. This is still the case in 1999 (Figure 2). Among the provinces, British Columbia recorded the highest rate (2.73 per 100,000), followed by Manitoba (2.27). Manitoba's rate, however, is its lowest since 1967. The lowest rates were in Newfoundland (0.37), followed by Prince Edward Island (0.72).

Only three provinces reported increases in the number of homicides in 1999 (Table 2): British Columbia (+20), Ontario (+5), and New Brunswick (+4). All three, however, were still lower than their previous ten-year averages. It should be noted that despite an increase in 1999, the number of homicides in New Brunswick for 1998 was its lowest since 1969. The largest decline was seen in Saskatchewan, where the number of homicides dropped from 33 in 1998 to 13 in 1999. This resulted in the lowest rate in Saskatchewan since 1963.

Figure 2



Homicide Rates by Province, 1999



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.



Table 2

### Homicides by Province/Territory, 1998 and 1999

Province/Territory	1999 <sup>1</sup>		1998 <sup>2†</sup>		Average 1989-1998	
	Number	Rate <sup>3</sup>	Number	Rate <sup>3</sup>	Number	Rate <sup>3</sup>
Newfoundland	2	0.37	7	1.28	5	0.95
Prince Edward Island	1	0.72	1	0.73	1	0.75
Nova Scotia	13	1.38	24	2.56	19	2.04
New Brunswick	9	1.19	5	0.66	12	1.60
Québec	136	1.85	137	1.87	159	2.22
Ontario	161	1.40	156	1.37	193	1.79
Manitoba	26	2.27	33	2.90	35	3.11
Saskatchewan	13	1.26	33	3.22	28	2.72
Alberta	61	2.06	64	2.20	67	2.49
British Columbia	110	2.73	90	2.25	113	3.12
Yukon	1	3.26	3	9.50	2	5.31
Northwest Territories <sup>4</sup>	1	2.40	5	7.41	6	9.57
Nunavut	2	7.40	...	...	...	...
CANADA	536	1.76	558	1.84	639	2.22

<sup>1</sup> The following number of homicides were reported and included in 1999 but occurred in previous years: Ont. - 3; B.C. - 1; TOTAL - 4.

<sup>2</sup> The following number of homicides were reported and included in 1998 but occurred in previous years: Nfld. - 1; Qc. - 2; Ont. - 6; Man. - 2; B.C. - 3; TOTAL - 14.

<sup>3</sup> Rates are calculated per 100,000 population. Population estimates at July 1st, provided by Statistics Canada, Census and Demographic Statistics, Demography Division.

<sup>4</sup> Prior to 1999 - includes Nunavut

... Figures not appropriate or not applicable.

<sup>†</sup> Revised.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.

#### Territories: a homicide profile

Homicide rates in the Territories are usually higher than those in the provinces (Table 9). Although the actual number of homicides each year is very low, the corresponding rate is high due to the relatively small population of these areas. Small changes in the actual number of homicides can result in dramatic fluctuations in the rate. On April 1<sup>st</sup>, 1999, Nunavut officially became a Canadian territory. The table below shows homicide statistics for the period 1991 to 1999 according to the current boundaries. Although populations in the three territories are lower than 100,000, rates are based on this number for comparability purposes with provincial figures.

#### Homicide Numbers and Rates<sup>1</sup> in Territories, 1991-1999

Territory	1991	1992	1993	1994	1995	1996	1997	1998	1999
number									
Nunavut	1	2	3	3	1	2	1	4	2
NWT (excludes Nunavut)	2	11	4	1	2	2	2	1	1
Yukon	-	2	-	3	4	-	1	3	1
rate									
Nunavut	4.50	8.71	12.68	12.25	3.99	7.77	3.85	15.12	7.40
NWT (excludes Nunavut)	5.17	27.89	10.03	2.46	4.82	4.78	4.78	2.44	2.40
Yukon	0.00	6.61	0.00	9.98	12.95	0.00	3.10	9.50	3.26

<sup>1</sup> Rate per 100,000 population.

- Nil or zero.

#### Homicide rate in metropolitan areas same as national rate

Crime, particularly homicide, is often considered to be an urban phenomenon. However, the data show that in 1999, the homicide rate for all 26 census metropolitan areas (CMAs) was 1.76, the same as the national rate. The average CMA rate for the previous ten years was 2.23, slightly higher than the national average (2.22) during that period.

Table 3 divides the CMAs into three population categories: nine CMAs with populations of 500,000 and over, eight CMAs

Census Metropolitan Area (CMA) - a large urban core (population of 100,000 and over) together with adjacent urban and rural areas which have a high degree of economic and social integration. The areas that police forces serve may differ in their mix of urban/suburban populations, making the comparability of crime rates among these forces difficult. This lack of comparability is addressed by analyzing crime rates by CMA. Usually, more than one police force is responsible for enforcing the law within the boundaries of a CMA. It is important to note that, due to the relatively small number of homicides within some of the smaller CMAs, homicide rates for these areas can change dramatically from year to year.

Table 3

## Homicides by Census Metropolitan Area, 1998 and 1999

Census Metropolitan Area	1999 <sup>1</sup>			1998 <sup>2†</sup>			Average 1989-1998		
	Population	Number	Rate <sup>3</sup>	Population	Number	Rate <sup>3</sup>	Population	Number	Rate <sup>3</sup>
<b>500,000+ population</b>									
Toronto	4,680,250	60	1.28	4,585,978	76	1.66	4,237,998	81	1.90
Montréal	3,438,532	70	2.04	3,423,536	65	1.90	3,298,582	91	2.76
Vancouver	2,016,643	57	2.83	1,999,168	45	2.25	1,775,252	55	3.10
Calgary	933,748	13	1.39	903,351	19	2.10	810,095	17	2.04
Edmonton	929,145	20	2.15	914,233	22	2.41	873,549	26	2.95
Ottawa <sup>4</sup>	809,034	12	1.48	801,372	4	0.50	751,735	13	1.68
Québec	688,085	10	1.45	686,634	15	2.18	675,281	11	1.69
Winnipeg	677,625	15	2.21	678,141	18	2.65	670,388	19	2.79
Hamilton	665,169	16	2.41	657,603	6	0.91	633,728	11	1.77
<b>Total<sup>5</sup></b>	<b>14,838,231</b>	<b>273</b>	<b>1.84</b>	<b>14,650,016</b>	<b>270</b>	<b>1.84</b>	<b>13,726,607</b>	<b>323</b>	<b>2.35</b>
<b>250,000 - 499,999 population</b>									
Kitchener	439,107	2	0.46	432,028	7	1.62	405,425	5	1.33
St. Catharines-Niagara	422,607	7	1.66	420,136	2	0.48	412,292	7	1.63
London	418,660	5	1.19	415,891	6	1.44	403,256	5	1.26
Halifax	352,594	7	1.99	348,844	12	3.44	335,073	8	2.30
Victoria	316,195	9	2.85	316,890	10	3.16	304,839	6	1.97
Windsor	299,966	7	2.33	295,747	8	2.71	280,510	7	2.39
Oshawa	292,948	2	0.68	287,558	3	1.04	264,502	4	1.51
Hull <sup>6</sup>	255,987	5	1.95	254,512	3	1.18	241,974	4	1.61
<b>Total<sup>5</sup></b>	<b>2,748,064</b>	<b>44</b>	<b>1.57</b>	<b>2,771,606</b>	<b>51</b>	<b>1.84</b>	<b>2,647,871</b>	<b>46</b>	<b>1.72</b>
<b>100,000 - 249,999 population</b>									
Saskatoon	231,403	4	1.73	229,575	7	3.05	219,298	6	2.87
Regina	199,163	2	1.00	199,284	10	5.02	197,200	5	2.59
St. John's	174,509	-	0.00	175,353	2	1.14	176,080	2	1.25
Sudbury	160,357	4	2.49	152,119	3	1.97	163,761	4	2.38
Sherbrooke	153,140	2	1.31	152,119	1	0.66	146,182	2	1.30
Chicoutimi-Jonquière	147,021	2	1.36	147,203	1	0.68	163,075	1	0.86
Saint John	146,267	1	0.68	127,483	-	0.00	128,527	3	2.10
Trois-Rivières	141,751	-	0.00	141,912	-	0.00	140,936	2	1.35
Thunder Bay	126,649	4	3.16	127,457	3	2.35	129,228	3	2.63
<b>Total<sup>5</sup></b>	<b>1,480,260</b>	<b>19</b>	<b>1.28</b>	<b>1,452,505</b>	<b>27</b>	<b>1.86</b>	<b>1,464,286</b>	<b>29</b>	<b>1.97</b>
<b>CMA TOTALS<sup>5</sup></b>	<b>19,116,555</b>	<b>336</b>	<b>1.76</b>	<b>18,874,126</b>	<b>348</b>	<b>1.84</b>	<b>17,838,764</b>	<b>396</b>	<b>2.23</b>
<b>&lt; 100,000 population</b>	<b>11,374,739</b>	<b>200</b>	<b>1.76</b>	<b>11,372,765</b>	<b>210</b>	<b>1.85</b>	<b>11,000,584</b>	<b>242</b>	<b>2.20</b>
<b>CANADA<sup>5</sup></b>	<b>30,491,294</b>	<b>536</b>	<b>1.76</b>	<b>30,246,891</b>	<b>558</b>	<b>1.84</b>	<b>28,839,348</b>	<b>639</b>	<b>2.22</b>

<sup>1</sup> The following number of homicides were reported and included in 1999 but occurred in previous years: Hamilton - 1; Areas < 100,000 population - 3; TOTAL - 4.

<sup>2</sup> The following number of homicides were reported and included in 1998 but occurred in previous years: Toronto - 1; Ottawa-Hull - 1; Winnipeg - 2; Kitchener - 1; Victoria - 1; Areas < 100,000 population - 8; TOTAL - 14.

<sup>3</sup> Rates are calculated per 100,000 population. Population estimates at July 1st, provided by Statistics Canada, Census and Demographic Statistics, Demography Division.

<sup>4</sup> Ottawa refers to the Ontario part of the Ottawa-Hull CMA.

<sup>5</sup> Numbers may not add to totals because of rounding.

<sup>6</sup> Hull refers to the Quebec part of the Ottawa-Hull CMA.

- Nil or zero.

<sup>†</sup> Revised.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.

with populations of 250,000 – 499,999, and nine CMAs with populations of 100,000 – 249,999. Historically, the largest CMAs have generally shown the highest rates. The year 1999 was no exception as the nine largest metropolitan areas as a group had a rate of 1.84, compared to 1.57 for the eight mid-sized CMAs, and 1.28 for the nine smaller CMAs.

Among the nine largest CMAs, Vancouver, despite a rate lower than its previous ten-year average, reported the highest rate (2.83), followed by Hamilton (2.41), and Winnipeg (2.21). Hamilton's rate was much higher than its ten-year average, while Winnipeg's was much lower. The lowest rates were reported for Toronto (1.28) and Calgary (1.39). Toronto, Canada's largest metropolitan area (accounting for 15% of

Canada's population) recorded a rate 27% lower than the national rate, and its lowest rate since CMA data were first tabulated in 1981.

Among the CMAs with populations of 250,000 - 499,999, Victoria reported the highest homicide rate (2.85), followed by Windsor (2.33), while Kitchener (0.40) and Oshawa (0.68) reported the lowest. Compared to their average rates for the previous ten years, Victoria's rate was 45% higher and Windsor's rate was 3% lower.

For CMAs with populations less than 250,000, Thunder Bay (3.16) reported the highest rate, followed by Sudbury (2.49), while Trois Rivières and St. John's recorded no homicides.



## CHARACTERISTICS OF HOMICIDE INCIDENTS

### No infanticides recorded in 1999

With the abolition of capital punishment in 1976 (Bill C-105), murder was categorized into first and second-degree. In 1999, half (51%) of all homicides were classified by police as first degree murder, 39% as second degree murder, and 11% as manslaughter. Although there are usually only a few infanticides each year, 1999 marked the first year since these data were collected in 1974 that no infanticides were reported.<sup>8</sup>

The classification of homicide offences in this report is based upon initial police investigation. In the transition period from initial police charging of the accused to final court disposition, the legal classification of an incident may change.

### Six percent of homicide incidents involved multiple victims, of which half were family-related

Multiple victim homicides tend to receive the most attention from the media and public. In 1999, the majority (94%) of the

503 separate homicide incidents involved a single victim, while 6% were multiple-victim incidents. The 29 multiple-victim incidents (up from 24 in 1998) were distributed as follows: 26 incidents involved two victims, two incidents had three victims, and one incident had four victims. Almost half (49%) of the victims in solved multiple victim incidents were family members of the accused (i.e., immediate or extended family members related through blood, marriage or adoption), down from 68% in 1998.

### Nine in ten murder-suicides are family-related

In 1999, 8% (40) of all homicide incidents were murder-suicides (with 52 homicide victims) where the accused, predominantly male (93%), committed suicide. Almost 90% of these murder-suicides were family-related, a figure which has been relatively constant over the past 20 years. Between 1979 and 1988, there were, on average, 38 incidents of murder-suicide each year, representing 6.4% of all homicide incidents. From 1989 to 1998, the average number of such incidents was 44 annually, comprising 7.5% of all homicide incidents. During this period, the number of murder-suicide incidents reached a high of 59 in 1992 and as a proportion of all homicide incidents, peaked in 1997 at 9.3% (Table 4).

In 1999, one in four murder-suicide incidents had more than one victim and the accused in each of these multiple victim

<sup>8</sup> See Glossary of Terms for definitions of types of criminal homicide.

Table 4

**Murder-suicides, Canada, 1974-1999**

Year	Number of Incidents	Number of Victims	Murder-suicide incidents as a % of all homicide incidents	Actual Number of Accused in Murder-Suicides			
				Male killing family	Female killing family	Male killing Non-family	Female killing Non-family
1974	38	44	6.9	31	1	6	-
1975	35	41	5.5	21	2	12	-
1976	41	52	6.7	31	1	8	1
1977	36	43	5.6	20	4	12	-
1978	41	55	6.6	29	3	9	-
1979	35	46	6.0	27	4	4	-
1980	31	39	6.1	22	2	7	-
1981	36	46	5.8	18	3	15	-
1982	34	45	5.6	22	2	9	1
1983	38	45	6.0	29	-	9	-
1984	44	64	7.2	33	3	8	-
1985	34	42	5.2	27	2	5	-
1986	44	60	8.3	32	5	7	-
1987	37	46	6.2	26	1	10	-
1988	45	52	8.3	32	2	11	-
1989	46	78	8.0	33	6	7	-
1990	38	41	6.2	25	1	11	1
1991	55	69	7.8	31	5	19	-
1992	59	65	8.8	39	6	14	-
1993	35	39	5.9	23	3	9	-
1994	39	45	7.0	26	5	8	-
1995	42	51	7.5	31	-	11	-
1996	37	55	6.4	27	2	8	-
1997	50	63	9.3	31	5	14	-
1998 <sup>r</sup>	38	45	7.2	24	5	8	1
1999	40	52	8.0	32	3	5	-
Average 1979-88	38	49	6.4	27	2	9	-
Average 1989-98	44	55	7.5	29	4	9	-

<sup>1</sup> Population estimates at July 1st - Statistics Canada, Census and Demographic Statistics, Demography Division.

- Nil or zero.

<sup>r</sup> Revised.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.

murder-suicides was male. In half (48%) of all murder-suicide incidents, men killed their spouses, and in 15% of cases, they killed their children. They killed both their spouse and children in 13% of cases. In no cases of murder-suicide did women kill their spouse in 1999, but in 2 incidents they killed their child. In the remaining incidents, 8% of the victims were other family and 13% were non-family members.

## Six in ten homicides motivated by anger and despair

As determined by police, the most common motive for committing homicide in 1999 was an argument, quarrel or incident inciting a vengeful or jealous reaction or an act of despair (57% of all homicides). Another 20% were motivated by financial gain or settling of accounts. Six percent of homicides had no apparent motive, and in 13% of cases the motive was unknown. There were three "random" killings in 1999 and no homicides motivated by hate. Between 1991 and 1998 there were 13 homicides that were motivated by hate or bigotry, an average of less than two per year.

## Three in four homicide incidents solved by police

During 1999, the police solved 75% of all reported homicide incidents through the identification of at least one accused. Over the past ten years, this proportion has fluctuated between 75% and 85%. Since the process of solving a homicide can be time-consuming, an incident may not be solved until after the year in which it was initially recorded. These data, therefore, underestimate final police clearance rates.

Of those incidents cleared by police in 1999, 89% were cleared by a charge being laid or recommended and 10% by the accused having committed suicide immediately following the offence. The remaining 1% were cleared for other reasons: Crown chose not to proceed (1), incident under Crown Review (1), and the accused was less than 12 years old (1).

## Homicides in correctional facilities double in 1999

Of the 498 homicide incidents with a known location (5 were unknown) in 1999, six in ten took place in a private residence, the majority of which were in a residence occupied by the victim (either solely or jointly with the accused). The majority of spousal homicides (89%) and other homicides within the family (86%) occurred in private residences.

The remaining locations were distributed as follows: 24% in an open area (e.g., a parking lot, street or field), 10% in a commercial area (e.g., bar, bank, restaurant), 5% in a private vehicle and the remaining 3% in a public institution (correctional facility (10), psychiatric facility (2), bus garage (1), shelter for abused persons (1), police detention cell (1) and school (1)). The ten homicide incidents in correctional institutions are more than double the numbers reported in each of the previous two years.

## FIREARMS

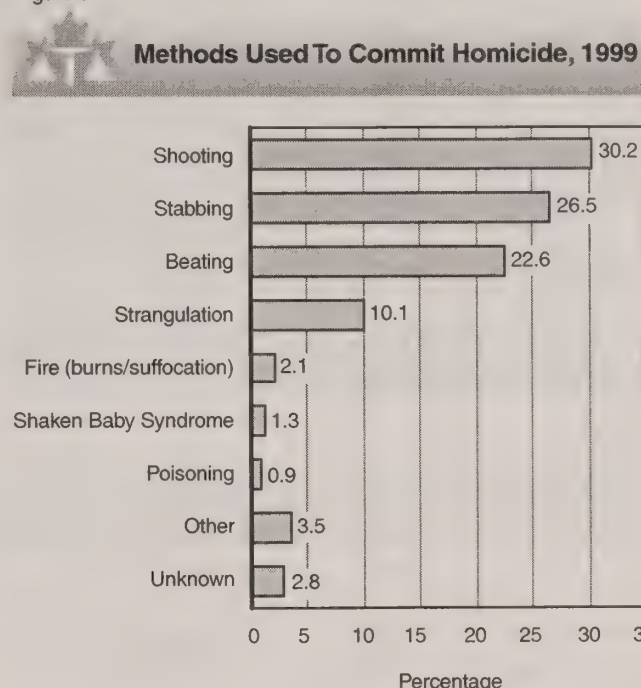
### Three in ten homicides involve firearms

In 1999, there were 165 homicides involving firearms. Homicides, however, account for a relatively small portion of

all firearm-related deaths. Of the 1,043 deaths in Canada involving firearms in 1997 (the latest year for which figures are available), the largest proportion of these deaths were due to suicide (78.4%), followed by homicide (15.2%), accidents (4.3%), and other types of incidents (2.1%).<sup>9</sup>

Since 1976, firearms have been used in about one-third of all homicides each year. In 1999 this proportion was 31% (Figure 3). The 165 shootings in 1999 represented a 9% increase over the total in 1998, but was 20% fewer than the average (205) for the previous ten years.

Figure 3



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.

Although there was a slight increase in the number of firearm homicides from 151 in 1998 to 165 in 1999, it should be noted that the 1998 figure was the lowest since data were first collected nationally in 1961. These 165 shootings were distributed as follows: 89 (54%) with a handgun, 58 (35%) with a rifle/shotgun, 6 (4%) with a sawed-off rifle/shotgun, 6 (4%) with a fully-automatic firearm, and 6 (4%) with other types of firearms. Homicides using handguns showed the largest increase, going from 70 in 1998 to 89 in 1999.

The use of handguns in homicides remained constant until 1990, accounting for almost three in ten homicides involving firearms. Over the next two years, homicides using handguns increased significantly, representing half of the homicides with firearms. Since 1993, this proportion has remained relatively constant. Over the last decade, there has been a decrease in the use of rifles/shotguns. The proportion of rifles/shotguns (including sawed-off firearms) used in firearm homicides has

<sup>9</sup> Statistics Canada. *Causes of Death, Catalogue 84F-0208-XPB*, Health Statistics Division, 1999.



Canada has adopted a number of legislative measures which are aimed at reducing firearm deaths and injuries. In 1977, Parliament passed legislation which amended the *Criminal Code* (Bill C-51), requiring individuals to obtain a Firearms Acquisition Certificate (FAC) before acquiring firearms. The legislation also introduced a variety of provisions including regulations on safe storage and display of firearms for businesses and bona fide gun collectors, and mandatory minimum sentences to deter the criminal use of firearms.

In 1991, Parliament strengthened the screening provisions for FAC applicants by introducing new legislation (Bill C-17). A multi-page form with a variety of questions concerning the applicant's personal and criminal history, personal references, picture, and a mandatory 28-day waiting period for approved FAC applicants were incorporated. Under this legislation all firearm owners have to comply with safe storage, handling, display, and transportation of firearms.

In December 1995, Parliament passed Canada's newest firearms legislation (Bill C-68) which created a new *Firearms Act* and amended the *Criminal Code*. The legislation created strict new penalties for firearms trafficking and smuggling, and tougher mandatory minimum sentences for 10 serious offences involving firearms. All firearm owners and users are required to obtain a firearm licence by January 2001 and all firearms will have to be registered by January 2003 (this includes non-restricted rifles and shotguns). The new legislation is intended to reduce firearm deaths and injuries by further encouraging the safe use and storage of firearms, assisting police investigations, and deterring the misuse of firearms.

generally been decreasing, from 62% in 1989 to 39% in 1999. The more lethal fully-automatic weapons were used in less than 4% of such incidents (Figure 4)(Table 5).

Table 5

## Homicides involving Firearms, 1974-1999

Year	Handgun		Rifle/Shotgun		Fully automatic firearm <sup>1</sup>		Sawed-off rifle/shotgun <sup>1</sup>		Other firearms <sup>1</sup>		Total homicides involving firearms	
	Number	% of Firearm Homicides	Number	% of Firearm Homicides	Number	% of Firearm Homicides	Number	% of Firearm Homicides	Number	% of Firearm Homicides	Number	% of Total Homicides
1974	76	26.9	180	63.6	...	...	12	4.2	15	5.3	283	47.2
1975	88	30.1	183	62.7	...	...	10	3.4	11	3.8	292	41.7
1976	68	26.4	165	64.0	...	...	5	1.9	20	7.8	258	38.6
1977	61	23.5	161	61.9	...	...	14	5.4	24	9.2	260	36.6
1978	63	25.2	177	70.8	...	...	2	0.8	8	3.2	250	37.8
1979	54	26.1	135	65.2	...	...	4	1.9	14	6.8	207	32.8
1980	62	31.8	120	61.5	...	...	4	2.1	9	4.6	195	32.9
1981	59	29.6	123	61.8	...	...	2	1.0	15	7.5	199	30.7
1982	88	35.5	146	58.9	...	...	9	3.6	5	2.0	248	37.2
1983	78	34.8	127	56.7	...	...	4	1.8	15	6.7	224	32.8
1984	66	28.9	142	62.3	...	...	2	0.9	18	7.9	228	34.2
1985	73	32.9	131	59.0	...	...	9	4.1	9	4.1	222	31.5
1986	38	21.7	114	65.1	...	...	1	0.6	22	12.6	175	30.8
1987	58	28.7	108	53.5	...	...	7	3.5	29	14.4	202	31.4
1988	47	27.8	94	55.6	...	...	7	4.1	21	12.4	169	29.3
1989	54	24.8	131	60.1	...	...	3	1.4	30	13.8	218	33.2
1990	69	35.2	99	50.5	...	...	1	0.5	27	13.8	196	29.7
1991	135	49.8	103	38.0	6	2.2	25	9.2	2	0.7	271	35.9
1992	129	52.4	90	36.6	12	4.9	15	6.1	-	0.0	246	33.6
1993	90	46.6	76	39.4	11	5.7	15	7.8	1	0.5	193	30.8
1994	90	45.9	66	33.7	14	7.1	26	13.3	-	0.0	196	32.9
1995	95	54.0	61	34.7	5	2.8	15	8.5	-	0.0	176	29.9
1996	107	50.5	81	38.2	8	3.8	16	7.5	-	0.0	212	33.4
1997	99	51.3	77	39.9	2	1.0	10	5.2	5	2.6	193	32.9
1998 <sup>2</sup>	70	46.4	51	33.8	12	7.9	14	9.3	4	2.6	151	27.1
1999	89	54.0	58	35.2	6	3.6	6	3.6	6	3.6	165	30.8
Average 1989-98	94	45.7	84	40.7	...	...	14	6.8	7	3.4	205	32.1

<sup>1</sup> The addition of this new firearm category in 1991 and the improved identification of firearms and classification of sawed-off rifles/shotguns may account for some of the decrease in the numbers for the "other firearms" category.

- Nil or zero.

... Figures not applicable or not appropriate.

<sup>2</sup> Revised.

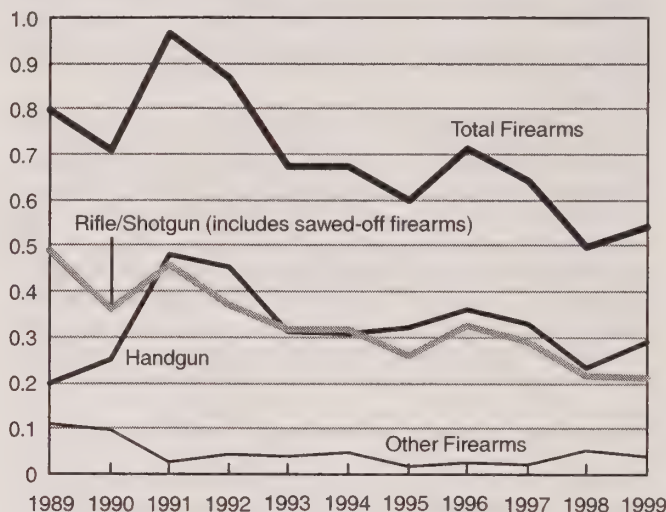
Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.

Figure 4



## Rate of Firearm Homicides, 1989-1999

Rate per 100,000 population



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.

Table 6

### Homicides by Cause of Death, 1998 and 1999

Cause of Death	1999		1998 <sup>1</sup>		Average 1989-1998	
	Number	Percentage	Number	Percentage	Number	Percentage
Shooting	165	30.8	151	27.1	222	32.0
Stabbing	143	26.7	186	33.3	204	29.4
Beating	123	22.9	125	22.4	139	20.1
Strangulation	55	10.3	61	10.9	77	11.1
Fire (burns / suffocation)	11	2.1	12	2.2	22	3.2
Shaken Baby Syndrome	7	1.3	6	1.1	...	...
Poisoning	5	0.9	6	1.1	6	0.9
Other <sup>2</sup>	19	3.5	5	0.9	15	2.2
Unknown	8	1.5	6	1.1	8	1.2
Total	536	100.0	558	100.0	693	100.0

<sup>1</sup> Includes motor vehicles, heart attacks, exposure, etc. In 1999, thirteen victims were killed using vehicles.

... Figures not applicable or not appropriate.

<sup>2</sup> Revised.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.

With the exception of three years (1990, 1995, 1998) shooting has been the most common method used in homicides since 1961. In 1999, shooting accounted for 31% of all homicides, stabbing 27%, beating 23%, strangulation/suffocation 10%, fire (burns / suffocation) 2%, poisoning 1%, and shaking (Shaken Baby Syndrome) for 1% (Table 6). Homicides resulting from stabbing dropped from 186 in 1998 to 143 in 1999.

## ACCUSED-VICTIM RELATIONSHIP

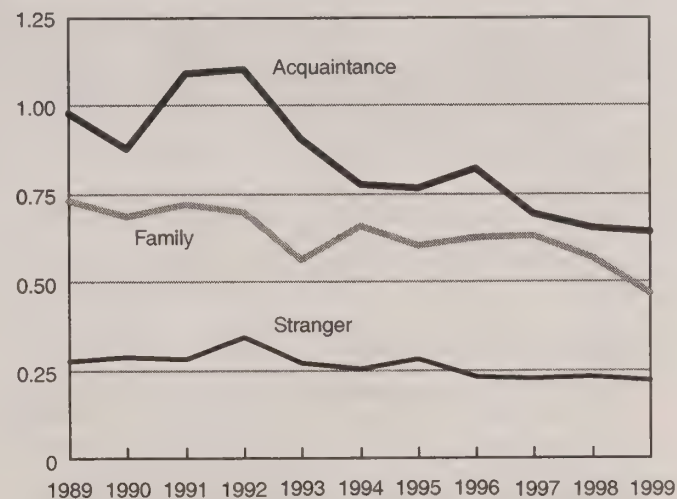
The Homicide Survey collects data on the relationships between persons accused of homicide and their victims. These and other related distributions exclude unsolved homicide incidents where there was no chargeable suspect (25% of all incidents in 1999).

The data collected through the Homicide Survey indicate that homicides are far more likely to be committed by someone known to the victim than by a stranger. As is the case historically, almost half (49%) of all solved homicides in 1999 were committed by an acquaintance (non-family) of the victim and over one-third by a family member. Of the 198 victims in acquaintance homicides, 91 were killed by a "casual" acquaintance (not a particularly intense or close relationship established prior to the homicide), a further 29 were killed by a "close" acquaintance, 28 by someone known to them through a criminal relationship, and 20 by a (ex) boyfriend / girlfriend. In the remaining solved homicides, 143 (35%) victims were killed by family members and 60 (15%) victims were killed by a stranger. The proportion and rate of stranger homicides has remained relatively stable over the past ten years, ranging from 12% to 16% (Figure 5). A little more than half (56%) of incidents where victims were killed by strangers occurred during the commission of another criminal offence, usually a robbery. Male victims were two-and-a-half times more likely to be killed by strangers (19%) than female victims (7%), as well as being at greater risk of being killed by a non-intimate acquaintance (57% versus 21%).<sup>10</sup>

Figure 5

### Homicides by Accused-Victim Relationship, 1999

Rate per 100,000 population



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.

In 1999 there were 29 fewer family homicides from the previous year, that is, homicides involving spouses, parents, children, siblings or other members related either by blood, marriage or adoption. Most of this 17% decline resulted from a large drop in the number of parents killing their children (down from 52 in 1998 to 31 in 1999). Other family homicides included: 71 victims killed by a spouse, 18 by a son or

<sup>10</sup> For more information on stranger homicides, see - Janhevich, D. 1998. Violence committed by strangers. Juristat, Catalogue 85-002-XIE, Vol. 18, No. 9. Ottawa: Statistics Canada.



Table 7

### Solved Homicides by Accused-Victim Relationship<sup>1</sup>, 1998 and 1999

Relationship Type (Victims killed by:)	1999		1998 <sup>1</sup>		Average 1989-1998	
	Number of victims	Percent	Number of victims	Percent	Number of victims	Percent
<b>Family Relationship</b>						
Husband (legal and common-law)	38	9.4	46	10.5	56	10.8
Husband (separated/divorced)	20	5.0	11	2.5	15	2.9
Same sex spouse	3	0.7	0	0.0	...	...
Wife (legal and common-law)	8	2.0	12	2.7	19	3.6
Wife (separated/divorced)	2	0.5	1	0.2	1	0.3
<b>Total Spousal</b>	<b>71</b>	<b>17.6</b>	<b>70</b>	<b>16.0</b>	<b>91</b>	<b>17.6</b>
Father	22	5.4	34	7.8	27	5.2
Mother	9	2.2	18	4.1	18	3.4
Child	18	4.5	20	4.6	19	3.6
Sibling	7	1.7	9	2.1	11	2.1
Other family relation	16	4.0	21	4.8	22	4.2
<b>Total Family<sup>3</sup></b>	<b>143</b>	<b>35.4</b>	<b>172</b>	<b>39.3</b>	<b>187</b>	<b>36.1</b>
<b>Acquaintance</b>						
(ex) Boyfriend/girlfriend	20	5.0	12	2.7	21	4.1
Close Acquaintance	29	7.2	26	5.9	42	8.0
Authority figure	4	1.0	3	0.7	...	...
Business associate (legal)	14	3.5	12	2.7	14	2.7
Criminal relationships <sup>2</sup>	28	6.9	27	6.2	29	5.6
Neighbour	12	3.0	16	3.7	24	4.6
Casual acquaintance	91	22.5	101	23.1	124	23.9
<b>Total Acquaintance<sup>3</sup></b>	<b>198</b>	<b>49.0</b>	<b>197</b>	<b>45.0</b>	<b>253</b>	<b>49.0</b>
<b>Stranger</b>	<b>60</b>	<b>14.9</b>	<b>66</b>	<b>15.1</b>	<b>73</b>	<b>14.1</b>
<b>Unknown relationship</b>	<b>3</b>	<b>0.7</b>	<b>3</b>	<b>0.7</b>	<b>4</b>	<b>0.8</b>
<b>TOTAL SOLVED HOMICIDES<sup>3</sup></b>	<b>404</b>	<b>100.0</b>	<b>438</b>	<b>100.0</b>	<b>517</b>	<b>100.0</b>

<sup>1</sup> Includes only homicide incidents in which there are known suspects. If there was more than one suspect, only the closest relationship to the victim was recorded.

<sup>2</sup> Includes prostitutes, drug dealers and their clients.

<sup>3</sup> Numbers may not add to totals because of rounding.

... Figures not applicable or not appropriate.

<sup>1</sup> Revised.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.

daughter, 7 by a sibling and 16 by another relative<sup>11</sup>. (Table 7).

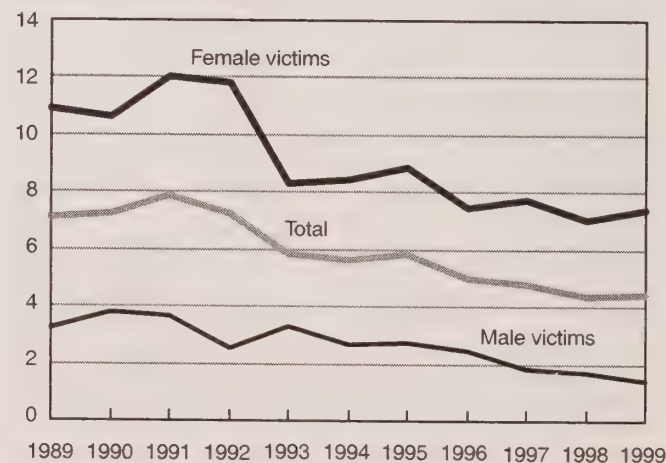
### Spousal homicides remain stable

Despite a very slight increase in 1999, spousal homicides have been decreasing since 1991, accounting for one out of every six solved homicides. They include persons in registered marriages, in common-law relationships and persons separated or divorced from such unions. These types of homicides have remained relatively stable over the last three years, after having declined since the early 1990s (Figure 6). In 1999, 71 persons were killed by a spouse, down from an average of 91 victims over the previous ten years and an average of 99 for the period from 1979 to 1988. Four in five spousal homicide victims were women. The decline in the number of spousal homicides in recent years may be the result of various factors including reduced exposure to abusive or violent relationships as a consequence of improvements in the economic status of women, and increases in the

Figure 6

### Spousal Homicide Rate, 1989-1999

Rate per 1,000,000 couples



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.

<sup>11</sup> For more information on family violence, see – Pottie-Bunge, V. and Locke, D. 2000. Family Violence in Canada: A Statistical Profile, Catalogue 85-224-XPE, Ottawa: Statistics Canada.

availability of domestic violence services (e.g., safe houses or shelters, and counselling).<sup>12 13</sup>

In 1999, 38 women were killed by a current male spouse (legal or common-law) and 20 were killed by a separated or divorced male spouse. Another 2 women were killed by same sex spouses. Of the 10 men killed by a female spouse in 1999, 8 were killed by a current spouse and 2 by a separated spouse. One man was killed by his same sex spouse. Regardless of gender, six in 10 incidents of spousal homicides involved a history of domestic violence between the victim and the accused that was known to police.

Historically in homicide incidents, men were more likely to be killed by their spouse with a knife or other sharp instrument, while women were most commonly killed with a firearm. In 1999, 37% of female spouses killed were shot, 32% were beaten or strangled, and 25% were stabbed. In contrast, 64% of male spouses were stabbed, 27% were beaten or strangled, and 9% were shot.

In addition to those killed by a spouse, 17 females were killed by a boyfriend or ex-boyfriend, and 3 males were killed by a girlfriend or ex-girlfriend. In all, 51% of all female victims and 6% of male victims in 1999 were killed by a person with whom they had an intimate relationship at one point in time, either through marriage or dating.

## Almost four in five murdered children killed by a parent

There were 36 children (under the age of 12) killed in 1999, 32% fewer than the average of 53 killed each year since 1989. In solved cases, almost four in five of these children were killed by parents, and the remainder, by acquaintances. In 1999, there were 23 parent-child homicide incidents involving 26 victims, which represented 4.6% of all homicide incidents that year (Table 8).

Taking into account multiple-accused and multiple-victim incidents, the actual number of accused parents in 1999 were 16 fathers (13 biological fathers and 3 stepfathers) and 7 biological mothers (the lowest number since 1980), a ratio of 2.3 fathers for every one mother. From 1974 to 1983 slightly more mothers than fathers, on average, were likely to be accused of killing their children. This trend changed from 1984 to 1993, when slightly more fathers, on average, were accused in such incidents. Since 1994, however, the ratio of accused fathers to mothers has been increasing.

The number of infants under one year of age who were killed, decreased from 24 in 1998 to 11 in 1999. Eight of these infants

<sup>12</sup> For more information on services available to abused spouses, see - Trainor, C. 1999. *Canada's Shelters for Abused Women*. Juristat, Catalogue 85-002-XPE, Vol. 19, No. 6. Ottawa; Statistics Canada.

<sup>13</sup> Dugan, L., Nagin, D. and Rosenfeld, R. *Homicide Studies*, Vol. 3, No. 3, August 1999: 188.

Table 8

### Children (<12 years) killed by parents, Canada, 1974-1999

Year	Number of Incidents	Number of Victims	Parent -child homicides as a % of all homicide incidents	Actual Number of Accused in Parent-Child Homicides				Ratio of all accused fathers to mothers
				Father	Step-Father	Mother	Step-Mother	
1974	34	42	6.2	18	1	15	-	1.3:1
1975	26	27	4.1	13	-	13	-	1.0:1
1976	32	44	5.2	15	-	17	-	0.9:1
1977	38	43	6.0	14	3	21	-	0.8:1
1978	45	56	7.3	12	4	29	-	0.6:1
1979	36	47	6.2	16	2	18	-	1.0:1
1980	25	27	4.9	14	1	10	-	1.5:1
1981	24	27	3.9	8	2	14	-	0.7:1
1982	28	31	4.6	13	1	14	-	1.0:1
1983	31	32	4.9	16	1	14	-	1.2:1
1984	40	50	6.6	26	1	13	-	2.1:1
1985	29	31	4.4	14	1	14	-	1.1:1
1986	41	50	7.7	23	-	18	-	1.3:1
1987	27	30	4.5	17	-	10	-	1.7:1
1988	23	28	4.2	11	-	12	-	0.9:1
1989	28	37	4.8	11	2	15	-	0.9:1
1990	26	31	4.2	16	-	10	-	1.6:1
1991	24	28	3.4	8	1	13	2	0.6:1
1992	28	32	4.2	10	1	17	-	0.6:1
1993	32	32	5.4	13	4	15	-	1.1:1
1994	40	43	7.2	20	4	16	-	1.5:1
1995	32	36	5.7	18	2	11	1	1.7:1
1996	37	41	6.4	19	6	12	-	2.1:1
1997	45	54	8.4	18	3	23	1	0.9:1
1998 <sup>*</sup>	41	47	7.7	22	3	15	1	1.6:1
1999	23	26	4.6	13	3	7	-	2.3:1
Average 1974-83	32	38	5.3	14	2	17	-	0.9:1
Average 1984-93	30	35	4.9	15	1	14	-	1.1:1
Average 1994-98	39	44	7.1	19	4	15	1	1.4:1

\* Population estimates at July 1st - Statistics Canada, Census and Demographic Statistics, Demography Division.

- Nil or zero.

Revised.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.



were killed by parents. Since 1991 (earliest year for which the number of infants less than one year old can be identified), there has been an annual average of 18 infant victims, accounting for between 2.4% and 6.8% of all homicide victims.<sup>14</sup>

The number of infants killed by their parents decreased in 1999, from 19 to 8. Five biological fathers and four biological mothers were accused (in one incident both the mother and father were accused). Three of the fathers were living in a common-law relationship (one with a mother that was a co-accused), and two were legally married, whereas three of the mothers were living common-law (one with a husband that was a co-accused) and one was legally married. Historically, fathers and mothers were equally likely to be accused in parent-infant homicides.

In the remaining three incidents involving infants less than one year old, one was killed by a caregiver, one by a casual acquaintance of the family, and in one case, no chargeable suspect was identified.

The figure for infant homicides may still be under-reported since some claims of accidental childhood deaths such as falls or "sudden infant deaths" could actually be due to child abuse. Since 1995, most provinces have legislated mandatory coroner inquests into deaths of children less than two years of age, which not only may have resulted in the increased reporting and classification of these cases as homicides in some years, but also may have deterred such incidents in subsequent years.

## AGE AND SEX OF VICTIMS AND ACCUSED

### Males account for two-thirds of victims and ninety percent of accused

Historically, about two-thirds of homicide victims have been male. This pattern also held true in 1999. The median<sup>15</sup> ages for male and female victims of homicide were 35 and 36 years of age, respectively.

Males accounted for 90% of all those accused of homicide in 1999, consistent with the average for the previous ten years. Females accused of homicide tended to kill family members (53% of the time) more often than male accused (31%).

### Average age of accused rising

The median age as well as the average age of those accused of homicide has increased slightly over the past 25 years. From 1974 to 1986, the median age of the accused was either 26 or 27 years. Since 1986, the median age has ranged from 27 to 29 years. The most common single age for someone accused of homicide in 1999 was 24 years (Figure 7).

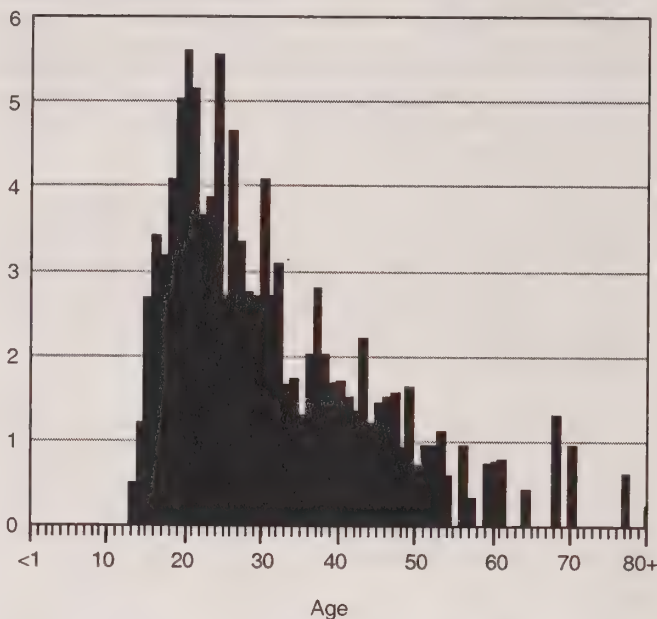
The 15-32 age group continues to be the highest risk group for committing homicide, accounting for three in five persons accused of homicide in a given year, while comprising approximately 25% of the total population. The population in this age group has been shrinking both in number and as a

Figure 7



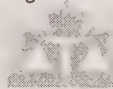
### Homicide Accused Age-Specific Rates, 1999

Rate per 100,000 population



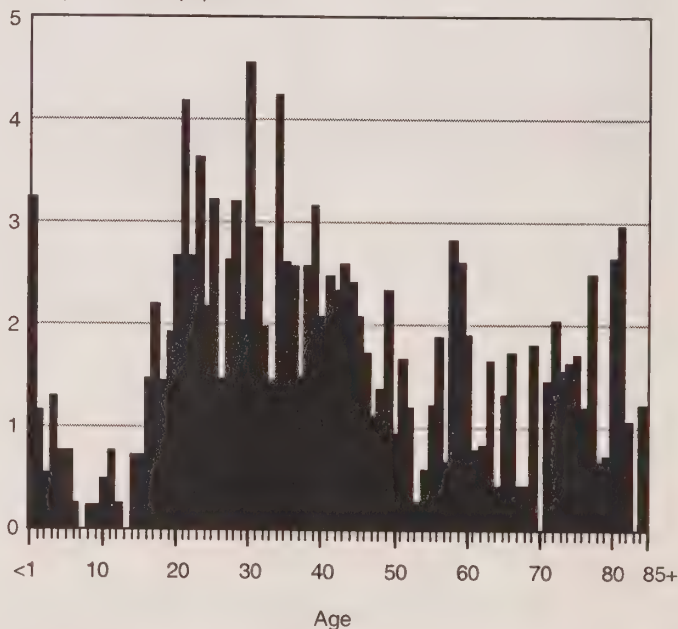
Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.

Figure 8



### Homicide Age-Specific Victim Rates, 1999

Rate per 100,000 population



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.

<sup>14</sup> Prior to 1991, the Homicide Survey categorized "infants" as persons less than two years old.

<sup>15</sup> Median refers to the middle value in a set of values ordered from lowest to highest.

proportion of the total population since 1990, and is expected to reach its smallest size around the year 2000, at which point it is projected to increase again.<sup>16</sup> This changing proportion may have an impact on future homicide rates.

Figure 8 shows that, in 1999 the single age of greatest risk of being a homicide victim was 30, followed by ages 34, 21 and less than 1. While this pattern changes from year to year, the age range for the majority of victims remains around ages 17 to 34 years. However, it has not been uncommon in recent years for infants to be at greatest risk.

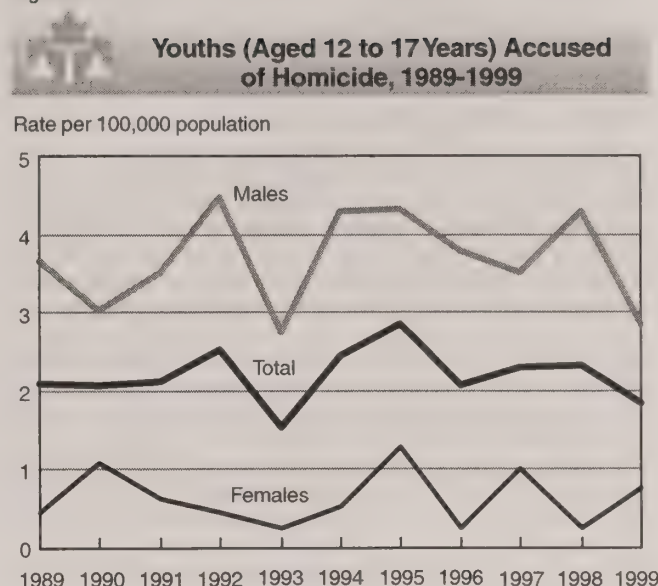
## YOUTH HOMICIDE

Since the introduction of the *Young Offenders Act* (YOA) in 1984, much publicity has focussed on youths accused of homicide and their subsequent treatment by the courts. To address the concerns of many Canadians about youth crime, the federal government has proposed new legislation, the *Youth Criminal Justice Act*. In this report, "youths" represent persons 12 to 17 years of age.

### Youth homicides decline in 1999

In 1999, 45 youths were accused of homicide, 12 fewer than in 1998, and representing 9.5% of all persons accused of homicide (Figure 9). Over the past decade, the youth homicide rate has remained relatively stable, while the homicide rate for adults has generally been decreasing. During this period,

Figure 9



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.

<sup>16</sup> Cansim (on-line), Statistics Canada, Ottawa. Population Projections by Sex and Age Group for Canada. Matrix 6900. Internet address: <http://www.statcan.ca>.

Table 9

### Youths (12-17 Years) Accused of Homicide, Canada, 1974-1999

Year	Youth Population <sup>1</sup> (Aged 12-17 Years) (000s)			Youths Accused of Homicide						Total Youth as % of Total Accused
				Number			Rate per 100,000 Youth Population			
	Male	Female	Total	Male	Female	Total	Male	Female	Total	
1974	1,443.7	1,384.3	2,828.0	53	3	56	3.67	0.22	1.98	10.2
1975	1,459.2	1,397.9	2,857.1	55	13	68	3.77	0.93	2.38	10.8
1976	1,466.7	1,403.0	2,869.6	41	8	49	2.80	0.57	1.71	7.9
1977	1,461.1	1,397.7	2,858.8	55	8	63	3.76	0.57	2.20	9.4
1978	1,433.7	1,371.0	2,804.7	48	10	58	3.35	0.73	2.07	8.4
1979	1,391.6	1,329.3	2,720.9	44	11	55	3.16	0.83	2.02	8.9
1980	1,351.2	1,288.0	2,639.2	39	7	46	2.89	0.54	1.74	8.7
1981	1,304.0	1,240.5	2,544.5	47	13	60	3.60	1.05	2.36	9.5
1982	1,260.9	1,197.3	2,458.2	42	9	51	3.33	0.75	2.07	8.0
1983	1,224.6	1,161.7	2,386.4	31	10	41	2.53	0.86	1.72	6.7
1984	1,196.8	1,133.8	2,330.6	25	11	36	2.09	0.97	1.54	6.5
1985	1,177.9	1,116.2	2,294.1	52	5	57	4.41	0.45	2.48	8.9
1986	1,162.6	1,105.2	2,267.8	31	11	42	2.67	1.00	1.85	7.6
1987	1,156.4	1,101.4	2,257.8	28	8	36	2.42	0.73	1.59	6.1
1988	1,151.7	1,096.2	2,247.9	44	3	47	3.82	0.27	2.09	8.9
1989	1,150.9	1,093.1	2,244.0	42	5	47	3.65	0.46	2.09	8.4
1990	1,158.6	1,097.5	2,256.1	35	12	47	3.02	1.09	2.08	8.5
1991	1,167.8	1,106.2	2,273.9	41	7	48	3.51	0.63	2.11	7.5
1992	1,185.0	1,120.1	2,305.1	53	5	58	4.47	0.45	2.52	8.8
1993	1,198.0	1,132.9	2,330.9	33	3	36	2.75	0.26	1.54	6.5
1994	1,212.3	1,146.8	2,359.1	52	6	58	4.29	0.52	2.46	10.1
1995	1,226.1	1,160.2	2,386.3	53	15	68	4.32	1.29	2.85	11.8
1996	1,241.5	1,176.1	2,417.6	47	3	50	3.79	0.26	2.07	9.1
1997	1,253.0	1,186.6	2,439.6	44	12	56	3.51	1.01	2.30	10.9
1998	1,258.2	1,191.0	2,449.2	54	3	57	4.29	0.25	2.33	10.9
1999	1,258.7	1,190.9	2,449.6	36	9	45	2.86	0.76	1.84	9.5
Average 1989-98	1,205.1	1,141.0	2,346.2	45	7	52	3.76	0.62	2.23	9.2

<sup>1</sup> Population estimates at July 1st - Statistics Canada, Census and Demographic Statistics, Demography Division. Revised.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.



an average of 52 youths were accused each year, accounting for 9% of all persons accused of homicide annually (Table 9). In 1999, female youths accounted for 20% of homicides committed by youths compared to an average of 13% over the previous ten years. However, due to small numbers, this type of year-to-year fluctuation is not uncommon.

As is the case historically, youths are more likely than adults to kill other youths and young adults. In incidents that were solved in 1999, 12-17 year olds represented 11% of all victims killed by youths compared to 2% of all victims killed by adults. A further 23% of victims killed by youths were 18 to 24 years of age, compared to 16% of all victims killed by adults.

Looking at accused-victim relationships, the data for 1999 show that youths accused of homicide were equally likely to kill family members as adult accused (30% and 33%, respectively). However, the percentage of acquaintances killed by youths (34%) was less than the proportion killed by adult accused (50%), while youths were more than twice as likely to kill strangers than adult accused (34% vs. 15%).

### **One in five accused and one in six victims are Aboriginal persons**

It has been widely documented that Aboriginal Peoples are over-represented in the justice system. This also holds true for involvement in homicide. While Aboriginal Peoples account for 3% of the Canadian population, they comprised at least 19% of all persons accused of committing homicide in 1999 as well as 14% of all homicide victims. In 10% of the cases, police services did not collect or report this information. Therefore, the proportion of Aboriginals may actually be higher than cited above.

One factor which may contribute to some of this over-representation is that the Aboriginal population is quite younger than the rest of the Canadian population. The high-risk age group for committing homicide and other violent crimes is between 15 and 34 years of age. This age group accounted for 36% of the Aboriginal population in 1999, compared to 28% for the rest of the population.

## **PREVIOUS CRIMINAL CONVICTIONS**

### **Three in five accused and two in five victims have a previous criminal record.**

In 1999, three in five (64%) persons accused of homicide had a criminal record, the majority (57%) of whom had been previously convicted of violent crimes: 7 for homicide, 44 for robbery and 121 for other violent offences. Six of the seven accused persons with a previous homicide conviction committed a homicide in a correctional facility. The remaining accused had completed the sentence and was living in the community when the homicide charge was laid.

Similarly, 41% of homicide victims in 1999 had a criminal record, half of whom had been previously convicted of violent crimes: 3 for homicide, 24 for robbery, and 88 for other violent offences.

## **ALCOHOL/DRUG INVOLVEMENT**

### **Alcohol / drug consumption a factor**

Alcohol, drugs and other intoxicants are known to play a role in the commission of many crimes including homicide.<sup>17</sup> In 1999, police reported that 38% of homicide victims and 50% of accused persons had consumed alcohol and/or drugs at the time of the offence, consistent with patterns since 1991 when this information was first collected in the Homicide Survey. Male victims were almost twice as likely as female victims to have consumed alcohol and/or drugs, even though, for the accused, the proportions were almost the same for males and females.

### **One in eight homicide incidents are drug-related**

Drugs and drug dealing are believed to be linked directly to many types of crimes, including homicide. In 1999, one in eight (60) homicide incidents were reported by the police to be drug-related, similar to the average since 1991 when this question was added to the Homicide Survey. Of the 64 victims of drug-related homicides, 47 were reported by the police to be drug dealers.<sup>18</sup>

### **Gang-related homicides increasing**

For the past few years, the police and the justice community have been investigating the involvement of organized criminal groups in crime, such as homicides perpetrated by bikers fighting over control of the lucrative drug market or other gangs. Between 1991 and 1995, there was an average of 19 gang-related homicide incidents each year. Beginning in 1996, the number of such incidents has more than doubled, with 44 reported in 1999. On average, over half of gang-related homicides involve drug trafficking and the settling of accounts.

### **Homicides committed during commission of another offence**

Almost one-third of all homicide incidents reported in 1999 occurred during the commission of another criminal offence. Of these 152 incidents, 104 were committed at the same time as another violent offence: 58 during an assault, 28 during a robbery, 9 during a sexual assault, 3 during a kidnapping/abduction, 3 as a result of a stalking<sup>19</sup> and 3 during other violent offences. Nine other homicides occurred as a result of arson, 16 were committed during other property offences, and 23, in combination with other types of criminal offences.

## **OCCUPATIONS AT RISK**

### **One police officer murdered in the line of duty**

Despite the obvious dangers inherent in police work, the murder of police officers in Canada in the line of duty is a relatively rare occurrence. Since 1961, an average of three

<sup>17</sup> Sacco, V., and L. Kennedy. 1994. *The Criminal Event*. Scarborough, Ontario. Nelson Canada: p.47.

<sup>18</sup> For more information, see - Tremblay, S. 1999. *Illicit Drugs and Crime in Canada*, Juristat, Catalogue 85-002-XPE, Vol. 19, No. 1. Ottawa: Statistics Canada.

<sup>19</sup> For more information on this topic, see - Kong, R. 1996. *Criminal Harassment*, Juristat, Catalogue 85-002-XPE, Vol. 16, No. 12. Ottawa: Statistics Canada.

police officers each year have been murdered as a result of performing their duties; all but five were shot. In 1999, one police officer was a victim of homicide. By comparison, the United States, with a population ten times greater than Canada's, reported 61 police officers murdered on the job in 1998 (latest year for which figures are available); all but three were killed with a firearm. In 1999, no correctional officers were killed in Canada in the line of duty.

There were 20 other persons who were victims of homicide "on the job" in 1999 in Canada: 4 bus mechanics, 3 taxi drivers, 3 janitors/superintendents, 2 retail managers, 2 protective services personnel, 1 bank teller, 1 service station attendant, and 4 in other occupations.

There were three known prostitutes killed in the course of their work, down from seven in 1998. It should be noted that the number of prostitutes reported killed most likely under-represents the actual figure: only those incidents where the police are certain that the victim was killed in the course of engaging in prostitution-related activities are counted.<sup>20</sup>

## METHODOLOGY

The Homicide Survey has collected police-reported data on homicide incidents since 1961, including the characteristics of victims and accused. Whenever a homicide becomes known to the police, the investigating police department completes a survey questionnaire. This questionnaire remained virtually unchanged from 1961 to 1990. In 1991 and later in 1997, in an effort to respond to changing information needs, the survey was revised and expanded.

Note that the homicide *count* for each year reflects the number of homicides *reported* to police in that year, regardless of the date that the homicide actually occurred. Also, socio-demographic and other information (e.g., history of domestic violence, alcohol / drug consumption) on persons accused of homicide are only available for solved incidents (i.e., where

<sup>20</sup> For more information on prostitution, see - Duchesne, D. 1997. *Street Prostitution in Canada*, Juristat, Catalogue 85-002-XPE, Vol. 17 No. 2. Ottawa: Statistics Canada.

Table 10

### Number of Homicides, 1961-1999

Year	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.	Yukon	N.W.T. <sup>1</sup>	Nvt.	Canada
1961	1	1	6	2	52	89	15	14	18	34	1	-	...	233
1962	-	1	10	8	62	76	19	13	18	55	3	-	...	265
1963	3	-	6	5	69	76	16	8	27	35	3	1	...	249
1964	5	-	13	5	52	81	16	20	25	32	1	3	...	253
1965	6	4	10	5	63	77	15	15	20	57	3	2	...	277
1966	3	1	9	6	56	71	17	12	27	48	-	0	...	250
1967	1	-	10	5	75	114	15	25	38	47	6	2	...	338
1968	5	-	9	5	102	104	28	23	25	73	1	-	...	375
1969	5	1	12	1	126	111	28	33	23	50	-	1	...	391
1970	1	1	15	8	141	115	29	24	42	78	6	7	...	467
1971	2	-	16	10	124	151	33	29	45	61	-	2	...	473
1972	2	2	14	11	157	141	36	28	37	88	3	2	...	521
1973	3	-	19	17	155	160	38	23	36	87	4	4	...	546
1974	3	2	8	21	169	160	42	31	44	107	5	8	...	600
1975	4	-	14	12	226	206	37	36	57	98	6	5	...	701
1976	6	2	25	14	205	183	31	34	68	88	4	8	...	668
1977	8	1	14	38	197	192	44	46	70	91	6	4	...	711
1978	9	4	13	27	180	182	39	32	84	85	2	4	...	661
1979	5	-	17	11	186	175	44	36	56	90	4	7	...	631
1980	3	1	12	9	181	158	31	31	55	105	2	4	...	592
1981	4	1	11	17	186	170	41	29	73	110	1	5	...	648
1982	6	-	12	13	190	184	35	39	70	109	2	7	...	667
1983	6	-	13	11	190	202	40	33	75	108	1	3	...	682
1984	6	-	15	14	198	190	43	30	54	110	2	5	...	667
1985	5	1	26	14	219	193	26	28	63	113	6	10	...	704
1986	4	-	15	12	156	139	47	26	64	89	3	14	...	569
1987	5	-	14	20	174	204	44	30	73	78	-	2	...	644
1988	7	1	11	8	154	186	31	23	66	80	1	8	...	576
1989	5	1	16	18	215	175	43	22	67	86	2	7	...	657
1990	-	1	9	12	184	182	39	36	74	110	1	12	...	660
1991	10	2	21	17	181	245	42	21	84	128	-	3	...	754
1992	2	-	21	11	166	242	29	32	92	122	2	13	...	732
1993	7	2	19	11	159	192	31	30	49	120	-	7	...	627
1994	4	1	19	15	126	192	29	24	66	113	3	4	...	596
1995	5	1	17	14	135	181	27	21	60	120	4	3	...	588
1996	7	1	18	9	154	187	45	32	53	125	-	4	...	635
1997	7	-	24	8	132	178	31	25	61	116	1	3	...	586
1998 <sup>2</sup>	7	1	24	5	137	156	33	33	64	90	3	5	...	558
1999	2	1	13	9	136	161	26	13	61	110	1	1	2	536
<b>Total</b>	<b>174</b>	<b>35</b>	<b>570</b>	<b>458</b>	<b>5,770</b>	<b>6,181</b>	<b>1,255</b>	<b>1,040</b>	<b>2,084</b>	<b>3,446</b>	<b>93</b>	<b>180</b>	<b>2</b>	<b>21,288</b>

<sup>1</sup> Includes Nunavut until 1999.

- Nil or zero.

... Figures not applicable or not appropriate.

<sup>2</sup> Revised.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.



at least one accused has been identified). In incidents where there are multiple accused and one victim, only the *closest* relationship between the victim and any of the accused is recorded.

## GLOSSARY OF TERMS

**Homicide** occurs when a person directly or indirectly, by any means, causes the death of a human being. Homicide is either culpable (murder, manslaughter or infanticide) or not culpable (not an offence) (*Criminal Code of Canada*, sections 222 – 240).

**Murder** occurs when a person intentionally causes the death of another human being, or means to cause bodily harm that the person knows is likely to cause death.

**First degree murder** occurs when:

- it is planned and deliberate; or
- the victim is a person employed and acting in the course of his/her work for the preservation and maintenance of the public peace (e.g., police officer, correctional worker); or
- the death is caused by a person committing or attempting to commit certain serious offences (e.g., sexual assault, kidnapping, hijacking).

Table 11

### Homicide Rates<sup>1</sup>, 1961-1999<sup>2</sup>

Year	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.	Yukon	N.W.T. <sup>3</sup>	Nvt.	Canada
1961	0.22	0.96	0.81	0.33	0.99	1.43	1.63	1.51	1.35	2.09	6.85	0.00	...	1.28
1962	0.00	0.93	1.38	1.32	1.15	1.20	2.03	1.40	1.31	3.31	20.00	0.00	...	1.43
1963	0.63	0.00	0.80	0.82	1.26	1.17	1.69	0.86	1.92	2.06	20.00	3.85	...	1.32
1964	1.04	0.00	1.72	0.82	0.93	1.22	1.67	2.12	1.75	1.83	6.67	11.11	...	1.31
1965	1.23	3.67	1.32	0.81	1.11	1.13	1.55	1.58	1.38	3.17	21.43	7.41	...	1.41
1966	0.61	0.92	1.19	0.97	0.97	1.02	1.77	1.26	1.85	2.56	0.00	0.00	...	1.25
1967	0.20	0.00	1.32	0.81	1.28	1.60	1.56	2.61	2.55	2.42	40.00	6.90	...	1.66
1968	0.99	0.00	1.17	0.80	1.72	1.43	2.88	2.40	1.64	3.64	6.67	0.00	...	1.81
1969	0.97	0.90	1.55	0.16	2.11	1.50	2.86	3.44	1.48	2.43	0.00	3.23	...	1.86
1970	0.19	0.91	1.92	1.28	2.34	1.52	2.95	2.55	2.63	3.67	35.29	21.21	...	2.19
1971	0.38	0.00	2.01	1.56	2.02	1.92	3.30	3.11	2.70	2.72	0.00	5.49	...	2.15
1972	0.37	1.76	1.75	1.70	2.54	1.77	3.59	3.04	2.18	3.82	14.89	5.16	...	2.34
1973	0.55	0.00	2.34	2.59	2.49	1.98	3.77	2.52	2.09	3.68	18.91	9.82	...	2.43
1974	0.55	1.72	0.98	3.16	2.70	1.95	4.12	3.41	2.51	4.38	23.73	19.45	...	2.63
1975	0.72	0.00	1.69	1.77	3.57	2.48	3.61	3.92	3.15	3.92	27.39	11.67	...	3.03
1976	1.07	1.69	2.99	2.03	3.20	2.17	3.00	3.65	3.64	3.47	17.80	18.05	...	2.85
1977	1.42	0.83	1.67	5.46	3.06	2.26	4.24	4.87	3.59	3.54	26.27	8.96	...	3.00
1978	1.59	3.29	1.54	3.86	2.79	2.12	3.75	3.36	4.15	3.25	8.42	8.84	...	2.76
1979	0.88	0.00	2.00	1.56	2.88	2.02	4.24	3.75	2.67	3.38	16.67	15.31	...	2.61
1980	0.52	0.81	1.41	1.27	2.78	1.81	3.00	3.20	2.51	3.83	8.22	8.64	...	2.41
1981	0.70	0.81	1.29	2.41	2.84	1.93	3.96	2.97	3.18	3.90	4.18	10.51	...	2.61
1982	1.04	0.00	1.40	1.84	2.89	2.06	3.34	3.95	2.96	3.79	8.17	14.14	...	2.66
1983	1.04	0.00	1.50	1.54	2.88	2.23	3.77	3.29	3.14	3.72	4.23	5.88	...	2.69
1984	1.03	0.00	1.71	1.94	2.99	2.07	4.01	2.95	2.26	3.73	8.36	9.51	...	2.60
1985	0.86	0.78	2.94	1.93	3.29	2.08	2.40	2.73	2.62	3.80	24.63	18.38	...	2.72
1986	0.69	0.00	1.69	1.65	2.33	1.47	4.31	2.53	2.63	2.96	12.26	25.60	...	2.18
1987	0.87	0.00	1.57	2.75	2.57	2.12	4.01	2.90	3.00	2.56	0.00	3.63	...	2.43
1988	1.22	0.77	1.23	1.10	2.25	1.89	2.81	2.24	2.69	2.57	3.76	14.36	...	2.15
1989	0.87	0.77	1.77	2.45	3.10	1.73	3.90	2.16	2.68	2.69	7.37	12.28	...	2.41
1990	0.00	0.77	0.99	1.62	2.63	1.77	3.53	3.57	2.90	3.34	3.60	20.37	...	2.38
1991	1.73	1.53	2.29	2.28	2.56	2.35	3.79	2.09	3.24	3.79	0.00	4.92	...	2.69
1992	0.34	0.00	2.28	1.47	2.33	2.29	2.61	3.19	3.49	3.52	6.61	20.83	...	2.58
1993	1.21	1.51	2.06	1.47	2.22	1.80	2.77	2.98	1.83	3.36	0.00	11.02	...	2.18
1994	0.70	0.75	2.05	2.00	1.75	1.77	2.58	2.38	2.44	3.07	9.98	6.14	...	2.05
1995	0.88	0.74	1.83	1.86	1.86	1.65	2.39	2.07	2.19	3.17	12.95	4.51	...	2.00
1996	1.25	0.73	1.93	1.20	2.12	1.68	3.97	3.14	1.91	3.22	0.00	5.92	...	2.14
1997	1.26	0.00	2.57	1.06	1.81	1.58	2.73	2.45	2.15	2.93	3.10	4.43	...	1.95
1998 <sup>4</sup>	1.28	0.73	2.56	0.66	1.87	1.37	2.90	3.22	2.20	2.25	9.50	7.41	...	1.84
1999	0.37	0.72	1.38	1.19	1.85	1.40	2.27	1.26	2.06	2.73	3.26	2.40	7.40	1.76

<sup>1</sup> Rates are calculated per 100,000 population.

Estimates of population used:

1961-1990: Revised intercensal estimates

1991-1995: Final intercensal estimates

1996: Final postcensal estimates

1997-1999: Updated postcensal estimates

<sup>2</sup> As of 1971, population estimates were adjusted to reflect new methods of calculation.

<sup>3</sup> Includes Nunavut until 1999.

<sup>4</sup> Revised.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2000.

**Second degree murder** is all murder that is not first degree.

**Manslaughter** is generally considered to be a homicide committed in the heat of passion caused by sudden provocation. It also includes other culpable homicides that are not murders or infanticides.

**Infanticide** occurs when a female causes the death of her newly-born child, if her mind is considered disturbed from the effects of giving birth or effects of lactation.

**Offence** - one offence is counted for each victim of homicide.

**Incident** - an incident is defined as the occurrence of one (or more) criminal offence(s) during one single, distinct event, regardless of the number of victims. If there are multiple victims or multiple suspects, the offences must occur at the same location and at the same time if they are to be included within the same incident. The incident count will normally be lower than the victim (or offence) count due to incidents involving multiple victims.



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# Juristat

Canadian Centre for Justice Statistics



Statistics Canada – Catalogue no. 85-002-XPE Vol. 20 no. 10

## Criminal Victimization in Canada, 1999

by Sandra Besserer and Catherine Trainor

### HIGHLIGHTS

- Canada's victimization rate was virtually unchanged in 1999. According to the 1999 General Social Survey (GSS) conducted by Statistics Canada, 25% of Canadians aged 15 and older were victims of at least one crime in the previous year, compared to a figure of 23% in 1993, when the victimization survey was last conducted. Of the eight crimes measured by the GSS, the rates for sexual assault, robbery, assault, break and enter, motor vehicle/parts theft and vandalism did not change significantly between 1993 and 1999. However, increased rates were observed for theft of personal property and theft of household property.
- Reporting to the police declined in 1999. For the eight GSS crime types, fewer than 4 in 10 incidents (37%) were reported to the police. This was down from 42% in 1993. The main reason that victims cited in 1999 for not reporting their incident was because it was "not important enough" (36% of unreported incidents). This same reason was given for 25% of unreported incidents in 1993.
- In all, 8.3 million victimization incidents were reported to the GSS in 1999. About one-half of these incidents involved a personal crime (sexual assault, robbery, assault or theft of personal property), while about one-third involved a household crime (break and enter, motor vehicle/parts theft, theft of household property or vandalism). The remaining 15% of incidents could not be classified into one of these eight crime types.
- Overall, for the four personal crimes that were examined, the rates for men and women were very similar. Higher rates of victimization were reported by young people (15 to 24 years), urban dwellers, and those with household incomes under \$15,000.
- For the four household crimes, the rate of victimization was once again higher for urban residents. However, households with higher income (\$60,000+) had a higher rate than households with lower incomes. As well, the rate of household crime was highest for people living in a semi-detached, row house or duplex compared with an apartment or single home. Rates were higher for those who rented rather than owned their home.
- Victimization rates tended to be higher in western Canada. Among the ten provinces, British Columbia had the highest rates of both personal and household victimization in 1999, due partly to higher rates for theft of personal and household property. Newfoundland, New Brunswick and Nova Scotia had the lowest rates of personal victimization, while Prince Edward Island, Newfoundland and New Brunswick had the lowest household victimization rates.
- The majority of Canadians believe that crime levels are stable. In 1999, 54% of the population believed that crime in their neighbourhood had stayed the same in the last five years. This was up considerably from the figure of 43% recorded by the 1993 GSS.
- The GSS results indicate that a large proportion of the population is satisfied with their personal safety and that this percentage is growing. In particular, 91% of Canadians reported being very or somewhat satisfied with their personal safety in 1999, an improvement from 86% in 1993. Additionally, people felt safer in a variety of situations, such as when home alone, walking alone or using public transportation alone after dark.
- Canadians are quite satisfied with the job being done by their local police. They are far less satisfied with the performance of the criminal courts, the prison and the parole systems.



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## Introduction

In 1999, as part of its General Social Survey program, Statistics Canada conducted a survey on victimization and public perceptions of crime and the justice system. It was the third time that the General Social Survey (GSS) had examined victimization – previous surveys were conducted in 1993 and 1988.

For the 1999 survey, interviews were conducted by telephone with approximately 26,000 people, aged 15 and older, living in the 10 provinces.<sup>1</sup> Respondents were asked for their opinions concerning the level of crime in their neighbourhood, their fear of crime and their views concerning the performance of the justice system. They were also asked about their experiences with criminal victimization. Those respondents who had been victims of a crime in the previous 12 months were asked for detailed information on each incident, including when and where it occurred; whether the incident was reported to the police; and how they were affected by the experience.

This *Juristat* will present an overview of the findings of the 1999 General Social Survey and, where possible, make comparisons to results from 1993 and 1988. Survey results pertaining to the issue of spousal violence are examined in the year 2000 edition of the report *Family Violence in Canada: A Statistical Profile*.<sup>2</sup> Other reports analyzing results from the 1999 GSS will be released over the next few months. A future edition of *Juristat* will provide an analysis of the 1999 GSS data on public perceptions of crime and the justice system, while a second report will provide a more in-depth profile of victimization in Canada.

## Survey enhancements

One of the main objectives of the GSS program is to track social changes, such as crime, over time. Repeating a survey allows for the examination of these changes. However, there is always the dilemma about whether to make improvements to questions based on knowledge gained from the previous survey, or whether to use identical questions to ensure comparability. Two major enhancements were made to the 1999 GSS: the addition of a spousal violence module and a change to the definition of assault.

As in the past, the 1999 survey measured the occurrence of eight specific offences: sexual assault, robbery, assault, theft of personal property, break and enter, motor vehicle/parts theft, theft of household property and vandalism. The first four offences are categorized as personal crimes and the last four, as household crimes (see Box 1). Unlike the 1993 survey, the 1999 survey also asked respondents who had ever been married or lived in a common-law relationship a series of questions to measure the extent of sexual and physical assault by a current or former spouse/partner during the previous five years. This was a major improvement over the previous survey that included only general physical and sexual assault questions and simply reminded respondents to include acts by family and non-family members. Research has shown that for sensitive issues such as spousal violence, respondents are more likely to disclose violence if they are asked a series of questions about specific acts that their spouse/partner may have done to them.

The second change to the 1999 GSS concerns the definition of assault. For the 1993 survey, all threats, including those that were not face-to-face, were included in the definition of assault. In order to be consistent with the *Criminal Code* definition of assault, only face-to-face threats were included in 1999. This modification also affects the definition of robbery, which is an assault or attempted assault involving the theft of property.

Clearly the addition of the module on spousal violence and the more accurate definition of assault in the 1999 survey, are improvements. These changes, however, do affect comparability with the previous surveys. In making comparisons to the

<sup>1</sup> See Methodology section for more details.

<sup>2</sup> See Statistics Canada Catalogue no. 85-224-XIE.

## Box 1: Offence types

The 1999 GSS measured the incidence of victimization for eight offence types, based on the *Criminal Code* definitions for these crimes. Sexual assault, robbery, and assault are classified as violent crimes. These three offences combined with theft of personal property form the personal crime category. The remaining four offences are considered household crimes. For personal crimes, it is an individual who is victimized, while for household crimes, it is typically all the members of the household. Rates of personal offences are therefore calculated per 1,000 persons aged 15 and older, while rates of household offences are expressed per 1,000 households.

Incidents involving more than one type of offence, for example a robbery and an assault, are classified according to the most serious offence. The rank of offences from most to least serious is: sexual assault, robbery, assault, break and enter, motor vehicle/parts theft, theft of personal property, theft of household property and vandalism. Incidents are classified based on the respondent's answers to a series of questions. For example, did anyone threaten you with physical harm in any way? How were you threatened?

Crime category	Offence	Description
Personal crimes	Theft of personal property	Theft or attempted theft of personal property such as money, credit cards, clothing, jewellery, a purse or a wallet. (Unlike robbery, the perpetrator does not confront the victim.)
	Violent crimes	
	Sexual assault	Forced sexual activity, an attempt at forced sexual activity, or unwanted sexual touching, grabbing, kissing or fondling.
	Robbery	Theft or attempted theft in which the perpetrator had a weapon or there was violence or the threat of violence against the victim.
	Assault	An attack (victim hit, slapped, grabbed, knocked down, or beaten), a face-to-face threat of physical harm, or an incident with a weapon present.
Household crimes	Break and enter	Illegal entry or attempted entry into a residence or other building on the victim's property.
	Motor vehicle/parts theft	Theft or attempted theft of a car, truck, van, motorcycle, moped or other vehicle or part of a motor vehicle.
	Theft of household property	Theft or attempted theft of household property such as liquor, bicycles, electronic equipment, tools or appliances.
	Vandalism	Willful damage of personal or household property.

1993 survey, certain adjustments need to be made to the results. In particular, physical and sexual assaults by a current or former spouse/partner have been removed from the 1993 and 1999 figures. In addition, the 1993 data have been adjusted to use the improved definition of assault. These adjustments permit comparisons between the 1999 and 1993 surveys.

No comparisons are being made to the 1988 GSS results for the three violent crimes (sexual assault, robbery and assault). There were significant changes to the definition of sexual assault between the 1988 and 1993 surveys. Additionally, it is not possible to revise the 1988 definition of assault to include only face-to-face threats.

## Comparing victimization and police-reported crime data

The two primary sources of information on crime rates in Canada are victimization surveys such as the GSS and police-reported surveys such as the Uniform Crime Reporting (UCR) Survey. These two surveys are quite different (see Box 2). For this reason they can produce different, yet complementary results.

The UCR Survey records crimes that are reported to the police. Many factors can influence the police-reported crime rate, including the willingness of the public to report crimes to the police; reporting by police to the UCR Survey; and changes in legislation, policies or enforcement practices. When, for instance, victims do not report incidents to police, those incidents will not be reflected in official crime statistics. Similarly, incidents that are reported to police, but upon investigation are judged by police to be unfounded, are also excluded from official crime statistics.

One way to estimate the extent of unreported crime is through victimization surveys. Because the GSS asks a sample of the population about their personal crime experiences, it captures information on crimes that have been reported to the police, as well as those that have gone unreported. The number of unreported crimes can be substantial. For example, the 1999 GSS estimated that 78% of sexual assaults and 67% of household thefts were not reported to the police. As a result, victimization surveys usually produce much higher rates of victimization than police-reported statistics.

Victimization surveys do have limitations, however. For one, they rely on respondents to report events accurately. As well,



**Box 2: Comparison of the GSS and UCR surveys**

Survey Characteristics	General Social Survey (GSS) on Victimization	Uniform Crime Reporting (UCR) Survey
<b>Survey type and coverage</b>	Sample (in 1999) of about 26,000 persons aged 15+ in the 10 provinces	Census of all incidents reported by all police services in Canada
<b>Historical data</b>	1988, 1993 and 1999	Available continuously since 1962
<b>Source of information</b>	Personal account of criminal victimization incidents, whether reported to police or not	Criminal incidents reported to and recorded by police
<b>Scope of survey</b>	8 categories of criminal offence	Over 100 categories of criminal offence
<b>Comparability of offence categories</b>	Sexual assault	Comparable to total sexual assault in UCR.
	Robbery	Not comparable. UCR includes robberies of businesses and financial institutions.
	Assault	Comparable to total assault in UCR.
	Break and enter	Comparable to break and enter of a residence in UCR.
	Theft of personal property Theft of household property	Not comparable. UCR does not distinguish between theft of personal and household property.
	Motor vehicle/parts theft	Comparable to UCR when theft of motor vehicle parts is removed from GSS.
<b>Sources of error</b>	Vandalism	Not comparable. UCR has a "mischief" category that includes a broader range of infractions.
	Sampling errors (i.e. differences between estimated values for the sample and actual values for the population)	Public reporting rates to police
	Non-sampling errors (e.g. inability of respondents to remember/report events accurately, refusal by respondents to report, errors in the coding and processing of data)	Police discretionary power, changes in policies and practice in relation to capturing all reported incidents

they address only certain crimes. They do not capture information on crimes that have no obvious victim (e.g. prostitution and impaired driving), where the victim is a business or school, where the victim is dead (as in homicides), or when the victim is a child (anyone younger than 15 in the case of the GSS).

## Changes in Victimization<sup>3</sup>

According to the General Social Survey, 25% of Canadians aged 15 and older living in the 10 provinces indicated that they were victimized one or more times in 1999.<sup>4</sup> This was about the same as the figure of 23% in 1993. In both 1999 and 1993, about 50% of incidents involved personal crimes, that is, incidents of theft of personal property, sexual assault, robbery and assault. The proportion of incidents involving household crimes (break and enter, motor vehicle/parts theft,

theft of household property and vandalism) was 35%, while the remaining 15% of incidents could not be classified as either a personal or household crime.

### Thefts of personal property and household property increase in 1999

The rate of personal victimization increased in 1999. The rate of 157 incidents per 1,000 population was up 17% from the comparable figure for 1993 (134 incidents per 1,000

<sup>3</sup> In order to make the 1999 and 1993 GSS data comparable, the analysis in this section excludes incidents of spousal violence and the 1993 data have been revised to use the improved definition of assault.

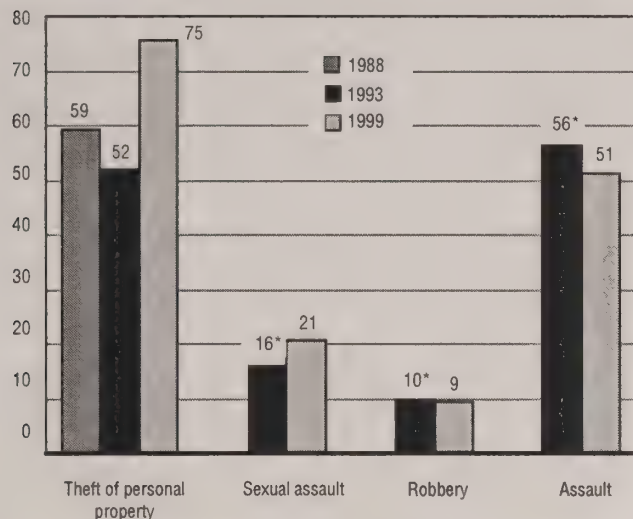
<sup>4</sup> For ease of presentation, the 1999 GSS will be referred to as if it pertained solely to the year in which it was conducted. In reality, interviews took place from February 1999 to December 1999 and respondents were asked about victimization experiences that occurred in the previous 12 months, meaning that victimization incidents could have taken place anytime during the period February 1998 to December 1999.

population). This increase was due in large part to a 44% increase in the rate for personal property theft, from 52 incidents per 1,000 in 1993 to 75 incidents per 1,000 in 1999 (see Figure 1). The rates for sexual assault, robbery and assault did not change substantially from 1993.

Figure 1

## Rate for theft of personal property higher in 1999<sup>1</sup>

Rate per 1,000 population 15+



\* The difference between this figure and the one for 1999 is not statistically significant.

<sup>1</sup> Excludes incidents of spousal sexual and physical assault. The 1993 data use the revised definition of assault. There are no comparable 1988 data for violent crimes.

Source: Statistics Canada, General Social Survey, 1988, 1993 and 1999.

Similar to personal crimes, the 1999 survey reveals an overall increase in the rate of household victimization. The rate rose 13%, from 193 incidents per 1,000 households in 1993 to 218 incidents per 1,000 households in 1999. However, the 1999 rate was almost the same as the rate for 1988 (216). Theft of household property was the only crime to show a significant change in rates. The rate rose 29% from 48 incidents per 1,000 households in 1993 to 62 incidents per 1,000 households in 1999 (see Figure 2). Rates for the other three household crimes remained relatively stable at 48 per 1,000 households for break and enter, 41 per 1,000 for motor vehicle/parts theft, and 66 per 1,000 for vandalism.

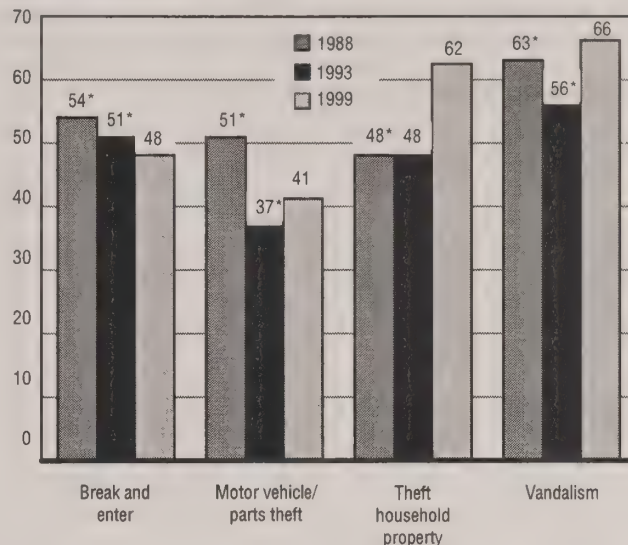
## How changes in victimization rates compare to police-reported trends

Police-reported data from the Uniform Crime Reporting Survey indicate that the crime rate is decreasing. In 1999, the overall crime rate fell 5%, marking the eighth consecutive annual decrease. Between 1993 and 1999, the rate for property crime declined 23%, while that for violent crime declined by half that amount (-12%). How do these findings compare to what was found by the 1999 GSS?

Figure 2

## Rate for theft of household property increases in 1999

Rate per 1,000 households



\* The difference between this figure and the one for 1999 is not statistically significant.

Source: Statistics Canada, General Social Survey, 1988, 1993 and 1999.

It is very difficult to make direct comparisons between results from the UCR and the GSS because of the many differences between these two surveys (see Box 2). One approach is to compare rates for the four offence categories which are similar in definition (sexual assault, assault, break and enter, and motor vehicle theft) and to look at the GSS rates for the more serious incidents, those most likely to have come to the attention of the police. For violent offences (sexual assault and assault) the more serious GSS incidents would include any incident where a weapon was present, the victim had to take time off work or spend time in bed, the victim was injured, or the incident was reported to the police. For non-violent offences (break and enter and motor vehicle theft), serious incidents would include those where the value of the stolen/damaged property was \$1,000 or more, or the incident was reported to the police.

Between 1993 and 1999, the UCR rates for all four offences – sexual assault, assault, break and enter of a residence, and motor vehicle theft – declined. For the more serious GSS incidents, the rate for sexual assault was unchanged between 1993 and 1999; rates for assault and break and enter were down; and the rate for motor vehicle theft was up. However, none of the changes in the GSS rates are statistically significant. That is to say, although the GSS data suggest that there have been some changes in the rates of victimization between 1993 and 1999, the differences could be due to sampling error.



## Victimization across Canada in 1999<sup>5</sup>

The GSS results indicate that when incidents of spousal violence are included, 26% of the population was victimized one or more times in 1999. There were a total of 4.5 million personal crime incidents, yielding a rate of 186 incidents per 1,000 population (see Table 1). The number of household crime incidents was 2.7 million, or 218 per 1,000 households.

### Rates higher in Western provinces

Historically, police-reported data have indicated that the overall crime rate is lower in eastern Canada (Atlantic provinces, Quebec, and Ontario) than it is in the west. This pattern is repeated in provincial victimization rates, based on results from the GSS. In 1999, victimization rates for household offences were higher in the provinces west of the Ontario-Manitoba border (see Table 1). Personal offences were somewhat different, with the highest rates occurring in the two westernmost provinces, followed by Prince Edward Island.

Newfoundland had the lowest rate of personal victimization in 1999 at 142 incidents per 1,000 population 15+, while British Columbia had the highest rate at 273.<sup>6</sup> The lowest rate of household victimization belonged to Prince Edward Island at 134 incidents per 1,000 households and British Columbia's rate of 319 was the highest.

Both the personal and household victimization rates for British Columbia were considerably higher than those for the provinces having the second highest rates. British Columbia's rate of personal victimization was 33% higher than the rate for Alberta and its rate of household victimization was 23% higher than the rate for Saskatchewan. Much of this difference is the result of higher rates for theft of personal and household property in British Columbia. Without these two offence categories, British Columbia's rate of personal victimization is 16% higher than the next highest rate and the rate of household victimization is 11% higher.

#### Box 3: Exclusion of spousal violence incidents

The 1999 victimization survey had a specialized series of questions to measure sexual and physical assault by a current or former spouse/partner. These questions were meant to obtain an overall picture of these types of assaults rather than to capture specific information on each incident. For example, victims of spousal violence were asked how many times they had been assaulted in the previous 12 months. They were also asked if they were ever injured during any of these incidents. If a victim reported two incidents and that they had been injured, it would not be possible to tell if they were injured during one or both of the incidents. Consequently, detailed information on each incident of spousal violence, including the location of the incident, presence of a weapon, and reporting to the police, is not available and cannot be included in the analysis of this type of information. Incidents of spousal sexual and physical assault also have to be excluded in order to make comparisons between the 1993 and 1999 surveys. Throughout this *Juristat*, it is noted on the tables and figures if the data include or exclude incidents of spousal violence.

#### Box 4: Interpreting data from the General Social Survey

Results from the General Social Survey are estimates based on information collected from a sample of the population. Each person who responded to the 1999 GSS represents roughly 1,000 people in the Canadian population. Somewhat different results might have been obtained if the whole population had been surveyed. The difference between the estimate obtained from a sample and the one resulting from a complete count is called the sampling error of the estimate.

One measure of the sampling error is the coefficient of variation (CV). The CV gives an indication of the uncertainty associated with an estimate. For example, if an estimate is 1,000 incidents with a CV of 4%, the true value likely lies between 960 and 1,040 (i.e.  $1,000 \pm 4\%$ ). In this *Juristat*, any estimate with a CV of more than 33.3% is considered too unreliable to be published and the symbol "--" is used in the data tables to indicate this. When the CV of the estimate is between 16.6% and 33.3%, the symbol "+" is used. These estimates should be used with caution.

Estimates based on smaller sample sizes will have larger sampling errors. The sampling error for estimates of the same measure (e.g. fear of crime) will likely be smaller in 1999 than in 1993 because of the larger sample size in 1999. Provincial estimates will usually have larger sampling errors than estimates for Canada as a whole.

A second kind of error that occurs in both census and sample surveys is called non-sampling error. This includes errors due to coverage (e.g. the GSS had to exclude households without telephones even though the target population was all households), processing (e.g. errors introduced while capturing and processing the GSS results) and non-response (the chosen respondent does not answer some or all of the questions). These errors are difficult to quantify. However, considerable effort was made to minimize non-sampling error for the GSS.

### Western cities have higher victimization rates

Cities in the west also tended to have higher victimization rates than those in the east. In 1999, Regina had the highest rate for both personal crimes (274 per 1,000 population) and household crimes (382 per 1,000 households) among census metropolitan areas (CMAs)<sup>7</sup> (see Table 2). Vancouver was second for both crime categories with rates of 271 per 1,000 population for personal crimes and 360 per 1,000 households for household crimes. The lowest personal crime rate was found in Toronto (171 per 1,000 population). Toronto and Saint John shared the lowest rate of household crime (182 per 1,000 households). These findings are similar to those for police-reported data – that is cities with high rates of victimization tend to have high rates of police-reported crime.

<sup>5</sup> Because of smaller sample sizes, previous cycles of the GSS did not permit provincial or municipal (CMA) level analysis. Insofar as these data are not available, this section includes only the 1999 data.

<sup>6</sup> Throughout this *Juristat*, rates are based on the appropriate population being examined, for example, the population 15 years and older in Newfoundland and British Columbia in this instance.

<sup>7</sup> A CMA refers to a large urban core (over 100,000 population) together with adjacent urban and rural areas that have a high degree of economic and social integration.



## Risks of personal victimization<sup>8</sup>

A number of factors have been linked to the risk of personal victimization.<sup>9</sup> These factors include the victim's sex, age, marital status, main activity, number of evening activities, household income and location of residence.

### Women and men have similar overall risks

There is very little difference in the overall risk of personal victimization for women and men. In 1999, the rate of personal victimization was 189 per 1,000 women and 183 per 1,000 men (see Table 3). However, sexual assaults were more likely to be perpetrated against women (rates of 33 per 1,000 women and 8 per 1,000 men), whereas men reported higher rates for assault (92 for men and 70 for women) and for robbery (12 for men and 7 for women). Rates for theft of personal property were not significantly different for the two sexes. Men and women also had similar rates for violent crime.

### Rates higher for young people

The risk of personal victimization decreases as people get older. In 1999, young persons aged 15 to 24 reported the highest rate of personal victimization, at 405 incidents per 1,000 population in that age group. This rate was 1.5 times that of the next highest rate reported by 25- to 34-year-olds. Older people aged 65 and over reported the lowest rate of personal victimization at 27 incidents per 1,000 population. These findings were the same for all personal crime categories, particularly in the case of violent offences. People aged 15 to 24 were 21 times more likely to be victims of violent crime and 9 times more likely to be victims of personal property theft than were people in the 65+ age group.

### Risks higher for single and separated/divorced people

An examination of risks based on marital status indicates that single people have the highest rates of personal victimization. The overall rate for those people who had never been married was 347 per 1,000 population in 1999, more than 5 times the rate of those who were widowed (69 per 1,000) and almost double the rate of the population in general (186 per 1,000 population). Separated/divorced individuals (276 per 1,000) recorded the second highest personal victimization rate. Persons living in a common-law relationship had a personal victimization rate more than twice that of those who were married (245 versus 104 per 1,000). These patterns were fairly consistent across offence categories.

That single people have higher overall rates is no doubt related to the fact that young people, who have high rates of victimization, tend to be single. If the effects of age are eliminated, then separated/divorced individuals tend to have higher rates of victimization. For example, for people aged 25 to 34, the victimization rate for those who were separated/divorced was higher than for those who were single.

### Students have higher rates of personal victimization

The GSS asked respondents to identify their main activity during the past 12 months. Types of activities included: working at a paid job or business, looking for work, going to school, caring for children, doing household work, and being retired. Students (384 per 1,000 population) and people

looking for work (327 per 1,000 population) had the highest rates of personal victimization in 1999. Retired persons had the lowest rate overall, at 35 per 1,000. These findings varied somewhat, depending on the type of offence. For example, people looking for work had higher rates of assault than did students.

Once again there is some connection between a person's age and their main activity. The majority of young people, for example, are either students or looking for work. However, the findings were fairly consistent within age categories.

### Participating in more evening activities increases the risk

People who frequently engage in evening activities outside the home are at greater risk of personal victimization. Evening activities include working, going to bars and visiting friends, and are often linked to a person's income, marital status and age. In 1999, those people involved in 30 or more evening activities a month had the highest rate of personal victimization at 305 per 1,000 population.<sup>10</sup> This was more than 4 times the rate for those who participated in fewer than 10 evening activities per month (75 per 1,000). This pattern was the same for all age groups. The rates for all individual offence types (theft of personal property, sexual assault, robbery and assault) increased as the number of evening activities increased. By engaging in activities outside the home, an individual has more personal contacts with strangers and there is a greater chance of being victimized.

### Risk of violent victimization greater when household income is low

Low household income is associated with a greater risk of violent victimization, but a smaller risk of personal theft. In 1999, the rate of violent victimization for people in the lowest household income category (under \$15,000) was 192 per 1,000 population, almost double the rate of those in the other income categories. On the other hand, people with a household income of \$60,000+ had the highest rate of personal property theft (88 incidents per 1,000 population), followed by people with a household income of \$40,000 to \$59,999. Presumably, having a higher household income means a person has more valuable personal belongings, such as cash, credit cards, clothing and jewellery, thus making them a more attractive target for theft.

### Urban rates of personal victimization higher than rural rates

Consistent with previous research, urban dwellers report higher rates of personal victimization than those from rural

<sup>8</sup> When analyzing the social and demographic characteristics associated with overall personal victimization, it is important to examine the overall rates of personal victimization, including spousal violence. As indicated previously, the 1993 and 1999 surveys are not strictly comparable because of the change in the measurement of spousal violence. This section, therefore, examines only 1999 data, including incidents of spousal sexual and physical assault.

<sup>9</sup> The analysis looks at each factor individually. There are likely interrelationships between the factors, for example, age and marital status. However, the objective of this publication is to provide a general, descriptive overview.

<sup>10</sup> As a person can be involved in more than one activity per evening, for example going to a restaurant and then a movie, it is possible to be involved in more than 30 activities per month.



## Box 5: Seasonality of crime

In 1999, more criminal victimizations occurred during the summer (June, July and August), than during any other time of year. The summer accounted for 30% of incidents, while autumn, spring and winter each accounted for approximately one-fifth of victimizations.

The results were fairly similar for all eight crime types. Theft of personal property was somewhat of an exception, with incidents as likely to occur in the autumn as in the summer. As well, motor vehicle/parts thefts were most likely to occur in the spring and the summer. The offence of household theft, in particular, had a large variation in the timing of incidents, ranging from a low of 15% of incidents in the winter to 39% of incidents in the summer.

Perhaps it is not surprising that most criminal victimizations occurred in the summer, considering that at this time of year higher proportions of people are on vacation, are participating in more evening activities away from home, and perhaps leaving more possessions unattended outside the home (e.g. tools, lawn furniture, bicycles), thereby increasing the risk of victimization.

**Victimization incidents by season of occurrence, 1999<sup>1</sup>**

	Total Incidents		Summer (June-Aug.)	Autumn (Sept.-Nov.)	Winter (Dec.- Feb.)	Spring (Mar.- May)	Don't know/ Not stated
	(000s)	%					
<b>All incidents</b>	<b>6,460</b>	<b>100</b>	<b>30</b>	<b>23</b>	<b>21</b>	<b>22</b>	<b>5</b>
<b>Total personal</b>	<b>3,804</b>	<b>100</b>	<b>29</b>	<b>24</b>	<b>22</b>	<b>20</b>	<b>5</b>
Theft personal property	1,831	100	27	26	21	22	4†
<b>Total violent</b>	<b>1,974</b>	<b>100</b>	<b>30</b>	<b>21</b>	<b>24</b>	<b>19</b>	<b>6</b>
Sexual assault	499	100	26	21	23	19	10†
Robbery	228	100	30†	--	28†	17†	--
Assault	1,246	100	32	22	23	19	4†
<b>Total household</b>	<b>2,656</b>	<b>100</b>	<b>31</b>	<b>22</b>	<b>19</b>	<b>24</b>	<b>4</b>
Break and enter	587	100	32	21	20	24	--
Motor vehicle/parts theft	501	100	25	23	22	26	--
Theft household property	760	100	39	21	15	23	--
Vandalism	808	100	28	23	19	23	6†

Note: † Coefficient of variation between 16.6% and 33.3%.

Figures may not add to total due to rounding.

-- amount too small to be expressed

<sup>1</sup> Excludes all incidents of spousal sexual and physical assault.

Source: Statistics Canada, General Social Survey, 1999.

areas.<sup>11</sup> Urban residents reported a total personal victimization rate over 40% higher than that of rural dwellers (199 versus 138 per 1,000).

## Profile of violent victimization incidents<sup>12</sup>

The GSS examines the incidence of violence for three crimes – sexual assault, robbery and assault. It provides information, such as presence of a weapon and injury to the victim, which helps to understand the nature of these crimes.

### No weapons present during most violent crime incidents

Police-reported data from the Incident-based Uniform Crime Reporting Survey (UCR2) show that in the majority of violent incidents (approximately 68% in 1999), there is no weapon present.<sup>13</sup> When the 1999 GSS asked victims of violent crimes if the accused had a weapon, the results were similar, with the accused having no weapon in 72% of incidents (see Table 4). Weapons were far more likely to be present during robberies (40% of incidents) than during assaults or sexual assaults. Knives were present in twice as many violent incidents compared with guns (6% versus 3%). In 13% of incidents, there were other weapons, including bars, sticks, rocks and bottles.

### Nearly one in five violent crime victims suffers physical injury

Given the low presence of weapons in the commission of violent crimes, it is perhaps not surprising that according to the GSS, a minority of violent incidents result in physical injury to the victim. In 1999, victims were injured in 18% of violent incidents. This figure was similar for both male and female victims. Robberies and assault had the same percentage of incidents resulting in an injury, at 22%.

### Drug/alcohol use often connected with violent incidents

Victims of violent crime often feel that the incident was related to drug or alcohol use by the perpetrator. In 1999, in one-half

<sup>11</sup> There are several specifications that the GSS employs to define urban and rural areas, but roughly speaking an urban area has a minimum population of 1,000 and a population density of at least 400 people per square kilometre.

<sup>12</sup> Due to the smaller sample size in previous GSS cycles, detailed breakdowns of violent crime are not possible. Therefore, this section does not include any comparisons to 1993. This section also excludes incidents of spousal violence because information on each incident is not available.

<sup>13</sup> The Incident-based Uniform Crime Reporting Survey (UCR2) provides detailed information on criminal incidents reported to the police. The data for 1999 are based on a sample of 164 police departments, representing 46% of the national volume of crime. The data are not nationally representative.

## Box 6: Location of criminal victimization incidents

In 1999, almost 50% of victimization incidents occurred in or around the victim's home or other private residence, while 29% took place in a commercial place or public institution, such as a restaurant, school, office building, or shopping mall. A further 23% of incidents occurred in a public place, including parking lots, public transportation, streets and open areas.

The results varied depending on the type of crime. Apart from robbery, personal crimes tended to occur in a commercial place/public institution. Robberies were more likely to happen in a public place. By definition, all break and enter incidents occurred inside the victim's home. The other three household crimes usually occurred around the victim's home, although over one-third of motor vehicle/parts thefts did take place on a street or at a public place.

Location of victimization incidents, 1999<sup>1</sup>

	Total Incidents		Inside victim's home	Around victim's home	Another private residence	Commercial place/Public institution	Street/Other public place	Don't know/Not stated
	(000s)	%				% of incidents		
<b>All incidents</b>	<b>6,460</b>	<b>100</b>	<b>16</b>	<b>27</b>	<b>5</b>	<b>29</b>	<b>23</b>	<b>1†</b>
<b>Total personal</b>	<b>3,804</b>	<b>100</b>	<b>9</b>	<b>14</b>	<b>6</b>	<b>44</b>	<b>24</b>	<b>1†</b>
Theft personal property	1,831	100	8	21	4†	45	22	--
Total violent	1,974	100	11	8	9	43	26	2†
Sexual assault	499	100	13†	--	19	46	12†	8†
Robbery	228	100	--	--	--	20†	50	-
Assault	1,246	100	10	10	6†	46	28	--
<b>Total household</b>	<b>2,656</b>	<b>100</b>	<b>26</b>	<b>44</b>	<b>3†</b>	<b>7</b>	<b>20</b>	<b>--</b>
Break and enter	587	100	100	-	-	-	-	-
Motor vehicle/parts theft	501	100	--	51	--	7†	35	--
Theft household property	760	100	6†	65	4†	12	13	--
Vandalism	808	100	5†	53	3†	7†	31	--

Note: † Coefficient of variation between 16.6% and 33.3%.  
Figures may not add to total due to rounding.

- nil or zero

-- amount too small to be expressed

<sup>1</sup> Excludes all incidents of spousal sexual and physical assault.

Source: Statistics Canada, General Social Survey, 1999.

of violent crime incidents, the victim stated that the incident was related to alcohol or drug use by the accused alone (43%) or by both the accused and themselves (7%). This finding was similar for all three violent offences.

## Violence can disrupt victim's main activity

A significant number of violent crime victims find it difficult to carry out their main activity as a result of the incident. In 1999, almost one-quarter of victims had their main activity disrupted<sup>14</sup> for most of the day, for reasons ranging from requiring medical attention to having to visit insurance agents. The figure for robbery victims was the highest, with their main activity being disrupted in almost one-third of incidents. Of the victims who had their main activity disrupted, 41% said it was just for that day. However, another 40% were affected for 2 to 7 days and 8% for 8 to 14 days.

## Victims often discuss their experience with friends and family

Victims of violent crime often turn to friends/neighbours, family members or co-workers to talk about what happened. In 1999, violent crime victims spoke with their friends or neighbours in 72% of incidents, followed by family members (62%), and co-workers (44%). This pattern was consistent across all violent crime types, although a smaller proportion of sexual assault victims had discussed the incident. Prior to reporting the

incident to the GSS survey, approximately 7% of violent crime victims had not spoken about it with anyone, including the police. The figure for sexual assault victims was particularly high, at 13%.

## Perpetrators are often lone males and known to the victim

In most violent crime incidents in 1999, the suspect acted alone. This was especially true for assaults (83% of incidents) and sexual assaults (81%). Robberies, at 49% of incidents, were more likely to involve multiple perpetrators (see Table 5).

In crimes in which the suspect acted alone, the accused was usually male. In 1999, almost seven in ten violent crimes involving a lone accused had a male perpetrator. Sexual assaults were more likely to have a male accused (92% of incidents), than were assaults (60% of incidents). The perpetrator was usually young, with 42% of violent crime incidents involving a perpetrator judged to be between the ages of 18 and 34. Although this finding applies to all three violent crimes, the percentage for robberies was much higher, with 69% of incidents involving a perpetrator between 18 and 34 years of age.

<sup>14</sup> Persons who were retired, suffering from a long-term illness or on maternity/paternity leave, were not asked this question.



Police data consistently show that the majority of violent crimes are committed by someone known to the victim. For example, 1999 data from the Incident-based Uniform Crime Reporting Survey indicate that 26% of violent crime victims knew the perpetrator to be a family member and 38%, an acquaintance. For 30% of victims, the perpetrator was a stranger. Results for the 1999 GSS were similar in that the suspect was known to the victim in the majority of incidents involving a lone perpetrator, as either a family member (37% of incidents) or a friend/acquaintance/other (36%). In just over one-quarter of incidents, the victim did not know the suspect. For incidents in which there was a lone perpetrator, the majority of sexual assaults were committed by a friend/acquaintance/other, nearly half of assaults were committed by a family member, but the majority of robberies were committed by a stranger.

## Risks of household victimization

Different factors are related to the risk of household victimization. These factors include location of residence (urban or rural), household income, household size (number of persons living in the house), the type of home, and home ownership (whether the victims own or rent their home). Survey findings for the 1999 GSS and 1993 GSS were very similar.

### Homes in urban areas have greater risks

Households located in urban areas experience higher rates of household victimization. In 1999, the overall rate of household victimization was 232 per 1,000 households in urban areas compared with 164 per 1,000 in rural areas (see Table 6). This pattern was consistent for all four offence types.

### Higher household income associated with higher rates of household victimization

Household victimization rates increase as household income increases. In 1999, the overall rate of household victimization was 183 for households having incomes of less than \$15,000. This rate rose to 279 for households earning \$60,000 or more. This pattern was fairly consistent for three of the four offence types. Break and enter was an exception – the highest rate occurred at the top income category, but all other income categories had similar rates of victimization. As discussed earlier for theft of personal property, households with higher household income probably have more property – more cars, more bicycles, more electronic equipment, that is an attractive target for theft or vandalism.

### Rates higher in larger households

Homes that have more people living in them have higher rates of household victimization. At 276 per 1,000 households in 1999, the rate of victimization for households with 4 or more members was about 1.5 times greater than that for households with 1 occupant. Once again, the offence of break and enter was different from the other three household offences, with households of 3, rather than 4 or more, having the highest rate of victimization. Households with more occupants likely have more household property, thereby increasing the risk of

victimization. The risk for break and enter may be tempered by the fact that with large households (4 or more), there is more likely to be someone home, thus discouraging a break-in.

### Semi-detached, row and duplex homes have higher risks

Household victimization rates vary depending on the type of house. In 1999, persons living in semi-detached, row, or duplex homes had the highest rates of household victimization, at 278 per 1,000 households. Rates were lowest for people living in apartments (212 per 1,000 households) and for those living in single homes (218). This pattern was similar for all four household crimes. It was also true regardless of household income. For example, in households with an income of \$40,000 to \$59,999, rates were higher for semi-detached, row and duplex homes than for single homes or apartments.

### Renters have higher risks than owners

The household victimization rate is higher for those who rent rather than own their homes. In 1999, the household victimization rate for rented households was 250 per 1,000 households, or 18% higher than the rate for owner-occupied homes. This finding was consistent for all four offences, although the rates for vandalism were quite similar for both renters and owners. People with higher incomes tend to own rather than rent their homes. It seems then, to be contradictory that households with higher incomes have higher rates of household victimization, yet renters and not owners have higher rates. However within each of the five income categories, household victimization rates were consistently higher for renters than for owners. One factor that may be contributing to these findings is the use of security measures. For example, in the previous 12 months a greater percentage of owner-occupied households had installed burglar alarms (13% versus 7% of rented households). This finding was true at each income level.

## Reporting victimization to police<sup>15</sup>

One advantage of victimization surveys such as the GSS is their ability to capture the "dark figure" of crime, that is the crimes that are not reported to police. The number of crimes that go unreported is significant. According to the 1999 GSS, 59% of incidents were not reported to the police, while 37% were reported (see Table 7).<sup>16</sup> When incidents were reported, it was the victim that reported them in over 70% of cases. Others reporting victimization to the police include a friend, family member, or witness to the crime.

In most provinces, the percentage of incidents reported to the police was close to the average of 37%. The figures ranged from a low of 30% in Newfoundland to a high of 44% in Manitoba. For the 14 municipalities (CMAs) for which figures were available, reporting to police varied from 27% of incidents in St. John's to 45% of incidents in Winnipeg.

<sup>15</sup> This section excludes incidents of spousal sexual and physical assault because information on each incident is not available.

<sup>16</sup> For 3% of incidents it is not known if they were reported.



## Household crimes reported more often

Some types of offences are reported more often than others. In 1999, sexual assault had the highest percentage of incidents that were not reported to police (78%), while break and enter had the lowest percentage of incidents that were not reported (35%). Overall, household crimes were reported more frequently than personal crimes. Part of the reason is likely the need to report crimes involving insurance claims to the police.

## Young victims less likely to report victimization

Reporting rates for the four personal crimes were quite similar for men and women. However, young victims reported far fewer personal crimes than older victims. Only 13% of victims aged 15 to 24 years reported personal crime incidents to the police, as compared to 26% of victims aged 25 to 44 and 30% of those aged 45 years and older.

## Reporting linked to value of stolen/damaged property

Considering the need for insurance purposes, to report property crimes to the police, the reporting rates for break and enter and the three theft offences (personal, household and motor vehicle/parts) seem low. One reason appears to be the relatively small value of the property that was stolen or damaged during the incident. Reporting to the police increased as the total cost of the incident increased. For example, for these four offence types, when the value of the stolen/damaged property was \$1 to \$100, 14% of incidents were reported; when the value was \$200 to \$499, 43% of incidents were reported; and when the value was \$1,000 or more, 85% of incidents were reported. In 1999, over two-thirds (68%) of incidents having break and enter or theft as the most serious offence involved a total cost to the victim of under \$500.

## Reporting to the police is decreasing

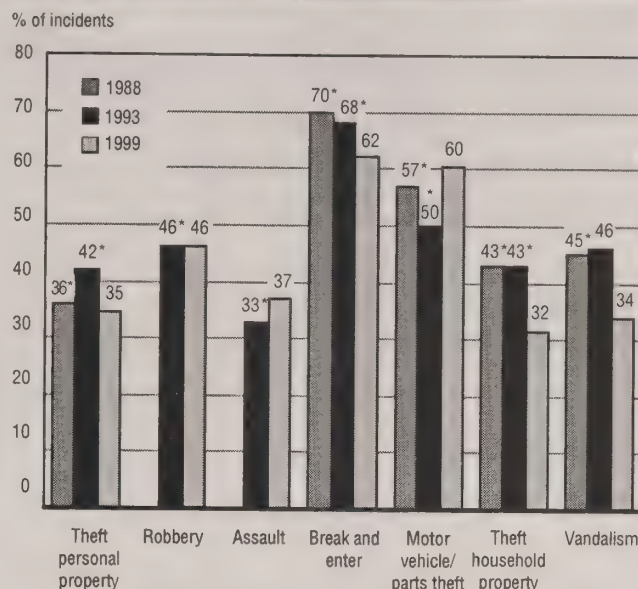
Fewer incidents are being reported to the police now than in the past. Based on the eight offences studied by the GSS, reporting to the police fell from 42% of incidents in 1993 to 37% in 1999. A comparable overall figure for 1988 is not available. Between 1993 and 1999, reporting of break and enter, theft of personal property, theft of household property and vandalism appeared to be down, while reporting of motor vehicle/parts theft appeared to be up (due largely to an increase in reporting of parts thefts) (see Figure 3). Only the decrease in reporting of vandalism was statistically significant. However, when the results for theft of personal and household property are combined, there is also a significant decrease in reporting from 43% of incidents in 1993 to 34% in 1999.

In 1999, reporting of break and enter, theft of household property and vandalism appeared to be down in comparison to 1988. These differences, however, are not statistically significant.

One cause for the decline in reporting may be an increase in insurance deductible amounts. Insurance industry data indicate that in 1994, the deductible amount for the majority (52%) of homeowner policies was \$200. By 1998, the majority (53%) of homeowner policies had a deductible amount of \$500.<sup>17</sup> At the same time, the GSS indicates that the value

Figure 3

## Fewer incidents being reported to the police<sup>1</sup>



\* The difference between this figure and the one for 1999 is not statistically significant.

<sup>1</sup> Excludes incidents of spousal sexual and physical assault. The 1993 data use the revised definition of assault. Figures for sexual assault are too small to be expressed. There are no comparable 1988 data for violent crimes.

Source: Statistics Canada, General Social Survey, 1988, 1993 and 1999.

of stolen/damaged property has declined slightly. For example, in comparison to 1993, a smaller proportion of incidents involving theft of personal property, break and enter, theft of household property, and vandalism had a total cost of \$1,000 or more in 1999. Similarly, a higher proportion of incidents involving theft of personal property, theft of household property and vandalism had a total cost of under \$100 in 1999. The deductible figure for the comprehensive portion of motor vehicle insurance also increased between 1994 and 1998, however indications from the GSS are that the total cost of motor vehicle/parts thefts increased between 1993 and 1999. This may explain why reporting of motor vehicle/parts theft has increased.

## "Incident not important enough" a common reason for not reporting

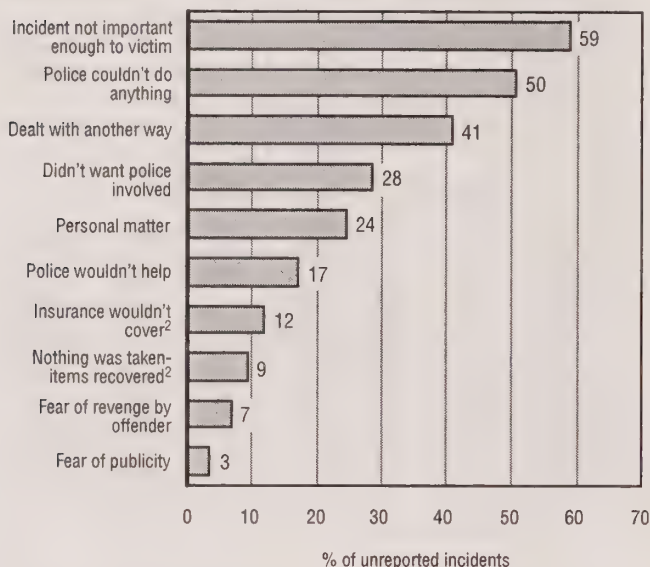
People have various reasons for not reporting crimes to police. Of the eight possible reasons respondents were given, the most common one was "incident not important enough", which was mentioned in 59% of the unreported incidents in 1999 (see Figure 4). "Police couldn't do anything" was the next most common, at 50%. Respondents were allowed to choose as many reasons as they wished, but when asked what was the main reason, the findings were similar. Cited most often was "incident not important enough" (36% of unreported

<sup>17</sup> This information was provided by the Insurance Information Centre of Canada (IICC). The IICC member companies represent approximately 64% of the industry.



Figure 4

## Victims don't report to police because "incident not important enough"<sup>1</sup>



<sup>1</sup> Total exceeds 100% due to multiple responses. Excludes incidents that were not classified by crime type and incidents of spousal sexual and physical assault.

<sup>2</sup> Excludes incidents involving sexual assault or a physical attack.

Source: Statistics Canada, General Social Survey, 1999.

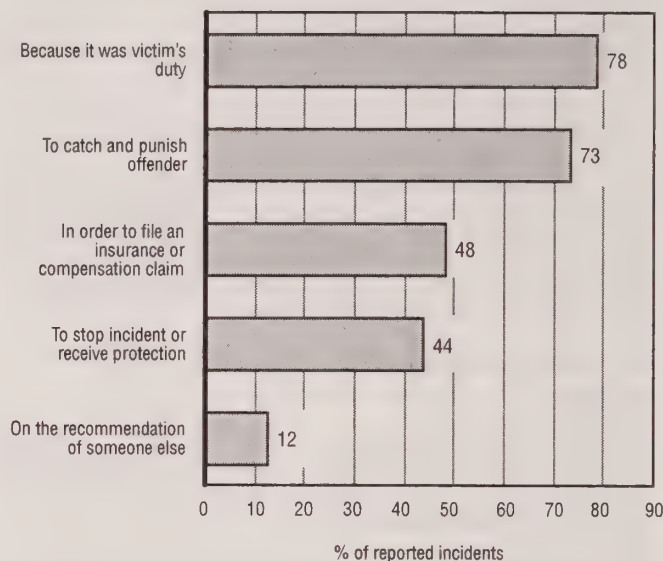
incidents), followed by "police couldn't do anything" at 20% and "dealt with another way" at 16%. The majority (87%) of incidents that went unreported because they were "not important enough" were less serious in nature – the victim was not injured, did not have to take time off or spend time in bed, there was no weapon present and the value of any stolen or damaged property was under \$1,000. For all eight crime types except assault, victims most often mentioned "incident not important enough" as their main reason for not reporting. The most frequently mentioned main reason for assault was "dealt with another way".

### Victims report incidents "because it was my duty"

When victims do decide to report incidents to police, their reasons vary. Out of five possible choices, the most popular, mentioned in 8 out of 10 incidents in 1999, was "because it was my duty" (see Figure 5). Next were "to catch and punish offender" at 73% and "in order to file an insurance or compensation claim" at 48%. Again, the results were fairly consistent for all but one of the eight crimes. The exception was sexual assault, where victims were most likely to mention "to stop incident or receive protection" as their reason for reporting the incident (85% of reported incidents).

Figure 5

## Victims report incident because "it is my duty"<sup>1</sup>



<sup>1</sup> Total exceeds 100% due to multiple responses. Excludes incidents that were not classified by crime type and incidents of spousal sexual and physical assault.

Source: Statistics Canada, General Social Survey, 1999.

## Perceptions of crime

### Majority of Canadians believe crime levels are stable

It is difficult to know what factors influence a person's opinions concerning the level of crime. For the last eight years, the public has heard that police-reported crime rates are falling. Yet they also hear stories of relatively rare but very serious events on the nightly news and perhaps have themselves been victims of crime. In 1999, the majority of Canadians (54%) felt that crime levels in their neighbourhood had stayed the same during the previous five years, up considerably from the figure of 43% in 1993 (see Table 8). Additionally, fewer people believed that crime in their neighbourhood had increased. In 1999, 29% of the population felt that crime in their neighbourhood had increased during the previous five years, down from a figure of 46% in 1993.

The four western provinces, which had higher rates of victimization in 1999, had higher percentages of the population who felt that crime had increased in the past five years. Over 37% of British Columbians thought crime was up, followed by 34% of Manitobans. In Prince Edward Island and Newfoundland, where rates of victimization were among the lowest, so were the percentages of the population who thought crime was up, with figures of 18% and 21%, respectively.<sup>18</sup>

<sup>18</sup> Prince Edward Island had a fairly high rate of personal victimization, but a low rate of household victimization.

#### Box 7: Hate Crime

Hate crimes are crimes that are motivated by the offender's hatred of a certain characteristic of the victim, for example, their race. Hate crimes carry an element of harm that is not present in other forms of offending since they are directed at both a group and an individual victim (Roberts, 1995). Recognizing that hate crimes were a problem in Canada, the Canadian Association of Chiefs of Police (CACCP), in 1998, ratified a definition of hate crime to be adopted by all police departments. This definition specifies that hate crime is a crime motivated by hate, not vulnerability, that is carried out due to a hatred of the victim's race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or other similar factor.

In recent years, the importance of the problem has resulted in the establishment of hate crime units in many police departments as well as the collection of data by private organizations such as B'nai Brith. However, many hate crimes never come to the attention of the police for a variety of reasons. First, victims may fear additional victimization. Second, victims may be reluctant to report due to the sensitive nature of some hate crimes.

Victimization surveys can be used in order to examine both reported and unreported incidents of hate crime and to determine the prevalence of this motivating factor in crimes. The 1999 GSS asked each crime victim if he/she believed that the victimization incident could be considered a hate crime. If yes, they were asked to identify the motivating factor(s), including the offender's hatred of their sex, ethnicity/race, religion, sexual orientation, age, disability, culture or language.

The results indicate that for the eight crime types, 4% of all incidents or approximately 273,000 incidents were considered by the victim to be hate crimes.<sup>19</sup> Approximately 6% of personal crime incidents and 2% of household crime incidents were hate motivated.

The most frequently reported reason for the offender's hatred was the victim's race/ethnicity. Victims reported that 117,000 or 43% of hate crime incidents were due to this factor. Other motivating factors that were cited were hatred of the victim's culture and hatred of the victim's sex, each at 18% of hate crime incidents.

### People continue to believe that their neighbourhood is safer than others

While their opinions about trends in neighbourhood crime have shifted over time, Canadians have remained steadfast in their belief that crime where they live is less than crime elsewhere. In 1999, 60% of the population felt that crime in their neighbourhood was lower than other areas in Canada and a further 28% felt that crime was about the same. These figures are virtually the same as those for the 1988 and 1993 surveys.

More than anyone else, the people of Newfoundland (88% of the population) thought crime in their neighbourhood was lower than elsewhere in Canada. People in British Columbia (11%), followed by Ontario (8%), were most likely to think that crime in their neighbourhoods was higher.

## Fear of crime

### Canadians feel safer

The 1999 GSS asked respondents several questions concerning their personal safety from crime. The responses indicate that a large percentage of Canadians are satisfied with their safety and that this percentage is growing.

In 1999, almost three-quarters of the population did not use public transportation at night,<sup>20</sup> but of those that did, 54% indicated that they were not at all worried when waiting for or using it (see Table 9). This percentage was up slightly from 51% in 1993. In most instances, fear of crime is not reducing the use of public transportation at night. More than three-quarters of people who were worried about using public transportation alone at night, indicated that they would not use it more often even if they felt safer from crime.

The 1999 GSS found that three out of four Canadians walk alone in their neighbourhood after dark. The vast majority (88%), felt very or reasonably safe doing so, up slightly from

84% in 1993. About four in ten people reported that they would walk alone more often if they felt safer.<sup>21</sup>

Being home alone in the evening or at night can be frightening for some people. In 1999, one-fifth of the population indicated that this situation was worrisome. This was an improvement from the figure for 1993, when 24% of the population said they were very or somewhat worried.

Overall, 91% of Canadians reported being very or somewhat satisfied with their personal safety in 1999, an improvement of 5 percentage points from 6 years earlier.

### Women continue to fear crime more than men

Past victimization surveys have indicated that women are more fearful of crime than are men. The results for 1999 were no different.<sup>22</sup> Nearly two-thirds (64%) of women felt somewhat or very worried while waiting for or using public transportation alone after dark, more than double the figure of 29% for men (see Figure 6). When they were home alone in the evening, 29% of women and 12% of men reported being somewhat or very worried. Finally, nearly one-in-five women (18%) felt somewhat or very unsafe when walking alone in their area after dark compared with 6% of men. These differences are quite large, considering that women and men have similar rates of personal victimization. It is interesting to note that when women and men were asked about their general level of personal safety, the results were alike: 88% of women and 93% of men reported being somewhat or very satisfied, although fewer women than men reported being very satisfied.

<sup>19</sup> This is based on the identifiable groups included in S. 718.2 of the Criminal Code.

<sup>20</sup> This includes almost 25% of the population that did not have access to public transportation.

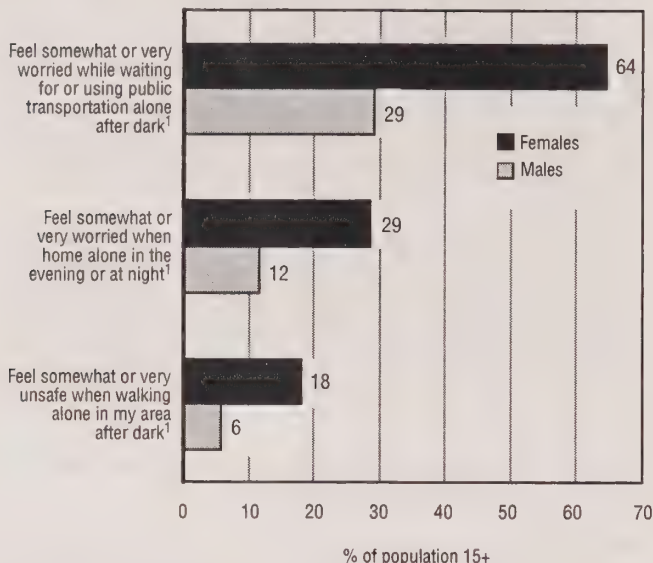
<sup>21</sup> Respondents who already felt very safe or who walked alone every night were not asked the question.

<sup>22</sup> The analysis is based on the responses for people who engage in the activities, for example, use public transportation or walk alone at night.



Figure 6

### In specific situations women fear crime more than men

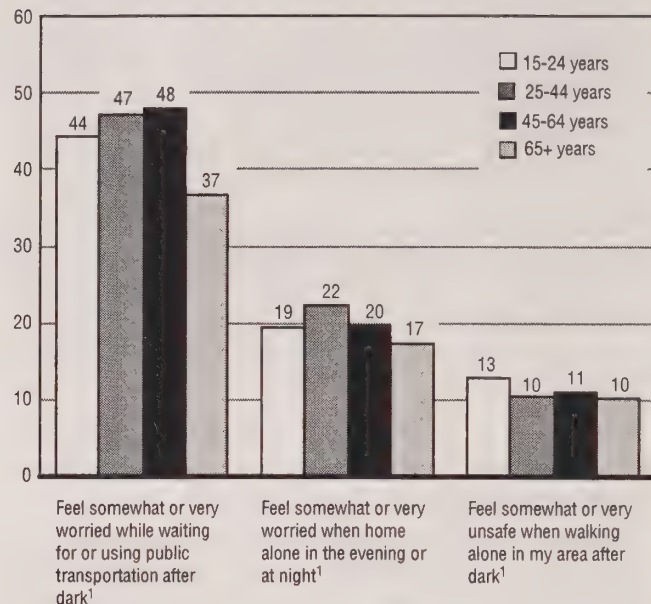


<sup>1</sup> Excludes persons who do not engage in these activities.  
Source: Statistics Canada, General Social Survey, 1999.

Figure 7

### Fear of crime is similar for all age groups

% of population 15+



<sup>1</sup> Excludes persons who do not engage in these activities.  
Source: Statistics Canada, General Social Survey, 1999.

### Fear levels are similar at all ages

Some research suggests that fear of crime increases with age, but the effect is most pronounced when people are asked about hypothetical situations rather than about realities in their everyday lives (Sacco, 1995). For the 1999 GSS, levels of fear were quite consistent among various age groups when based solely on the perceptions of those people who actually engaged in the various activities. For example, of the people 65 years and older who walked alone in their area after dark, the percentage who felt somewhat or very unsafe was similar to that for people in other age categories (see Figure 7).

Of course, fear can be a factor in deciding whether to engage in certain activities. However, it appears that it is less of a factor for older people. When 1999 GSS respondents were asked if they would walk alone/walk alone more often at night if they felt safer from crime, 26% of people aged 65 or older indicated that they would. This was much lower than the figures for other age groups (36% for those aged 45 to 64, 41% for those aged 25 to 44, and 44% for those aged 15 to 24). An analogous question regarding the use of public transportation alone at night produced similar results.

In 1999, the 65+ age group did report the lowest level of overall safety, with 87% stating they felt somewhat or very satisfied. The youngest age group, with a figure of 93%, was the most satisfied, despite having the highest rates of personal victimization.

### Crime prevention behaviour

Individuals can take a variety of measures in order to protect themselves and their property from crime. According to the 1999 GSS, some of the more common ones are changing routines/avoiding certain places and installing security hardware, which were employed by 27% and 21% of Canadians, respectively in the previous 12 months (see Figure 8). The other types of activities that respondents were asked about, including taking a self-defence course, obtaining a dog, or changing a phone number were not as prevalent.

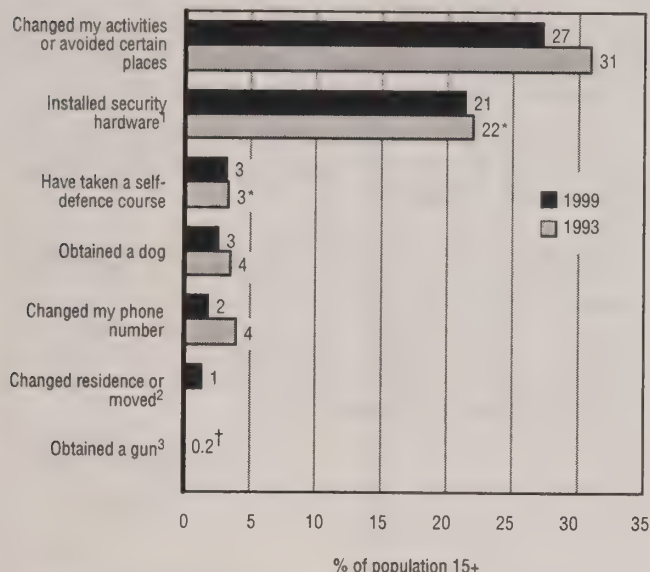
The use of precautionary measures was down slightly in 1999 in comparison to 1993.<sup>23</sup> Perhaps this is a reflection of the fact that Canadians felt safer from crime in 1999 or that people had taken these measures prior to the 12 months leading up to the 1999 survey.

Respondents to the 1999 GSS were also asked about five precautionary measures that they routinely take to make themselves safer from crime. The most common measure, used by 57% of the population, was locking the doors when alone in the car (see Figure 9). Checking the back seat for intruders was next at 44%, followed by planning their route with safety in mind (42%). Compared with the results for 1993, more people reported locking their car doors, but fewer reported planning their route or staying at home because they were afraid to go out alone.

<sup>23</sup> Comparable data are not available for 1988.

Figure 8

**In the previous 12 months, many Canadians changed their activities/avoided certain places to protect themselves from crime**



† Coefficient of variation between 16.6% and 33.3%.

\* The difference between this figure and the one for 1999 is not statistically significant.

<sup>1</sup> Includes new locks and burglar alarms.

<sup>2</sup> Not asked in 1993.

<sup>3</sup> Figure for 1993 is too small to be expressed.

Source: Statistics Canada, General Social Survey, 1993 and 1999.

## Satisfaction with the justice system

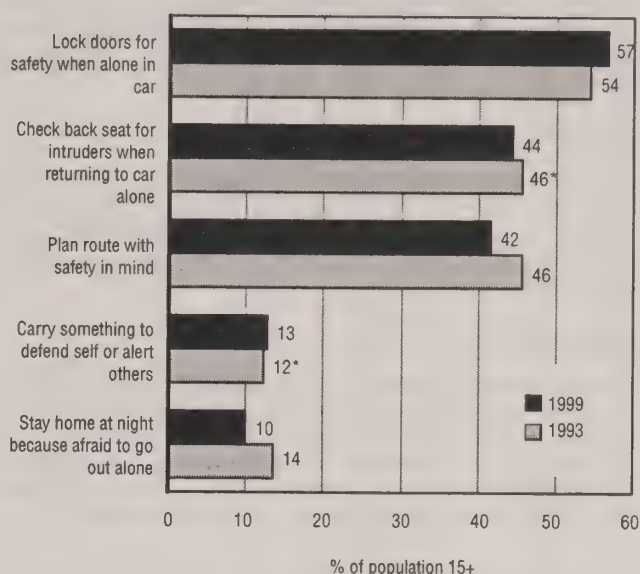
Canadians are quite satisfied with the job being done by their local police. However, perceptions for three other sectors of the justice system – the courts, prison system and parole system – are not as favourable (see Table 10). In 1999, the majority of Canadians felt that the police were doing a good job at being approachable, ensuring the safety of citizens, enforcing the laws and supplying information on reducing crime. As well, just under half of the population thought that the police were doing a good job at responding quickly to calls. Less than 10% of the population felt the police were doing a poor job at any of these aspects of policing. Public satisfaction with the police in 1999 appeared to be slightly better than in 1993 and virtually the same as in 1988.

In 1999, less than one-quarter of the population expressed the belief that the criminal courts were doing a good job at determining whether an accused is guilty, providing justice quickly, or helping the victim. The figures, though small, were slightly higher than in 1993. In 1999, Canadians rated the courts best at ensuring a fair trial for the accused, with 41% of the population feeling the courts were doing a good job at this. However, this figure was down from 46% in 1993.

For the first time in 1999, the GSS asked respondents about the performance of the prison and parole systems. Just over one-quarter (26%) of Canadians felt the prison system was

Figure 9

**The majority of Canadians routinely lock their car doors to feel safer from crime<sup>1</sup>**



\* The difference between this figure and the one for 1999 is not statistically significant.

<sup>1</sup> Respondents were asked what measures they use routinely to make themselves feel safer from crime. Data for 1988 are not available.

Source: Statistics Canada, General Social Survey, 1993 and 1999.

doing a good job at supervising/controlling prisoners, while only 14% felt the system was good at helping prisoners become law-abiding. As for the parole system, approximately 15% of the population stated that the system did a good job at releasing offenders who were not likely to re-offend and at supervising offenders on parole. In comparison to responses for performance of the police and the courts, more people (about 20% of the population) did not have an opinion concerning the performance of the prison or the parole systems.

## Methodology

In 1999, the victimization cycle of Statistics Canada's General Social Survey (GSS) was conducted for a third time. Previous cycles were conducted in 1988 and 1993. As in the past, individuals 15 years and older were asked about their experiences with crime and their opinions concerning the justice system. The GSS measures victimization for 8 types of crime, according to *Criminal Code* definitions.

## Sampling

Households in the 10 provinces were selected using random digit dialing techniques. Once a household was chosen, an individual 15 years or older was selected randomly to respond to the survey. Households were excluded from the survey when they had no telephone. Also excluded were individuals living in institutions. In all, approximately 2% of the population was excluded. This figure is not large enough to significantly change the estimates.



The sample size in 1999 was about 26,000 households, up significantly from 10,000 for the previous two cycles.

### Data collection

Data were collected from February to December 1999. A standard questionnaire was used to gather the information. Interviews were conducted by phone using computer-assisted telephone interviewing (CATI). A typical interview lasted 30 minutes.

### Response rates

In 1999, as in previous cycles of the GSS, the response rate was quite high – 81% of selected respondents answered the survey. Types of non-response included respondents who refused to participate, could not be reached, or could not speak English or French.

### Data limitations

It is important to note that the GSS data are estimates. They are based on information collected from a sample of the population and are therefore subject to sampling error. This *Juristat* uses the coefficient of variation (CV) as a measure of the sampling error. Any estimate that has a high CV (over 33.3%) has not been published because the estimate is too unreliable.

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Table 1

## Rates of victimization by province, 1999<sup>1</sup>

	Canada	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
No. of incidents (000s)											
<b>Total personal</b>	<b>4,522</b>	<b>63</b>	<b>22</b>	<b>116</b>	<b>87</b>	<b>1,048</b>	<b>1,531</b>	<b>146</b>	<b>148</b>	<b>474</b>	<b>888</b>
Theft personal property	1,831	26	--	44	30	417	637	45†	51	184	389
Total violent	2,691	36	14	72	57	631	894	101	97	290	498
Sexual assault	502	--	--	--	--	83	179	--	--	44†	131
Robbery	228	--	--	--	--	--	84†	--	--	--	46†
Assault	1,961	27	--	54	39	503	631	84	76	217	321
No. of incidents (000s)											
<b>Total household</b>	<b>2,656</b>	<b>28</b>	<b>7†</b>	<b>76</b>	<b>48</b>	<b>625</b>	<b>874</b>	<b>107</b>	<b>106</b>	<b>260</b>	<b>525</b>
Break and enter	587	6†	--	19†	--	153	185	22†	24†	48†	117
Motor vehicle/parts theft	501	--	--	--	--	126	160	18†	23†	54	96
Theft household property	760	9†	--	28	13†	164	254	29†	26†	65	169
Vandalism	808	8†	--	17†	15†	182	275	37†	33†	93	143
Rate per 1,000 population 15+											
<b>Total personal</b>	<b>186</b>	<b>142</b>	<b>200</b>	<b>153</b>	<b>144</b>	<b>177</b>	<b>167</b>	<b>164</b>	<b>188</b>	<b>205</b>	<b>273</b>
Theft personal property	75	60	--	58	49	70	69	50†	64	80	120
Total violent	111	82	132	95	94	106	97	114	124	126	153
Sexual assault	21	--	--	--	--	14	20	--	--	19†	40
Robbery	9	--	--	--	--	--	9†	--	--	--	14†
Assault	81	61	--	72	64	85	69	94	96	94	99
Rate per 1,000 households											
<b>Total household</b>	<b>218</b>	<b>140</b>	<b>134†</b>	<b>200</b>	<b>159</b>	<b>204</b>	<b>194</b>	<b>236</b>	<b>259</b>	<b>228</b>	<b>319</b>
Break and enter	48	30†	--	50†	--	50	41	49†	58†	42†	71
Motor vehicle/parts theft	41	--	--	--	--	41	35	40†	56†	48	58
Theft household property	62	44†	--	74	44†	53	56	65†	63†	57	103
Vandalism	66	41†	--	45†	51†	59	61	82†	81†	81	87

Note: † Coefficient of variation between 16.6% and 33.3%.

Figures may not add to total due to rounding.

-- amount too small to be expressed

<sup>1</sup> Includes all incidents of spousal sexual and physical assault.

Source: Statistics Canada, General Social Survey, 1999.



Table 2



**Rates of victimization by census metropolitan area, 1999<sup>1</sup>**

CMA <sup>2</sup>	Total personal crimes		Total household crimes	
	No. of incidents (000s)	Rate per 1,000 population 15+	No. of incidents (000s)	Rate per 1,000 households
St. John's	30	215	12†	184†
Halifax	67	234	38	263
Saint John	--	--	10†	182†
Chicoutimi-Jonquière	--	--	--	--
Québec	117	200	68†	224†
Sherbrooke	--	--	--	--
Trois-Rivières	--	--	--	--
Montréal	567	208	324	227
Ottawa-Hull	185	220	109	254
Oshawa	--	--	--	--
Toronto	637	171	318	182
Hamilton	131	239	67†	251†
St. Catharines-Niagara	--	--	--	--
Kitchener	--	--	--	--
London	77†	222†	36†	189†
Windsor	--	--	--	--
Sudbury	--	--	--	--
Thunder Bay	--	--	--	--
Winnipeg	108	203	76	277
Regina	42†	274†	30†	382†
Saskatoon	42†	238†	32†	354†
Calgary	176	236	96	268
Edmonton	148	200	96	265
Vancouver	450	271	294	360
Victoria	59	224	34†	234†

Note: † Coefficient of variation between 16.6% and 33.3%.

-- amount too small to be expressed.

<sup>1</sup> Includes all incidents of spousal sexual and physical assault.

<sup>2</sup> A CMA (census metropolitan area) refers to a large urban core (over 100,000 population) together with adjacent urban and rural areas that have a high degree of economic and social integration.

Source: Statistics Canada, General Social Survey, 1999.

Table 3

Personal victimization rates, by victim characteristics, 1999<sup>1</sup>

Victim characteristics	Total personal crimes	Theft personal property	Violent				Total personal crimes	Theft personal property	Violent			
			Total violent	Sexual assault	Robbery	Assault			Total violent	Sexual assault	Robbery	Assault
No. of incidents (000s)							Rate per 1,000 population 15+					
Total	4,522	1,831	2,691	502	228	1,961	186	75	111	21	9	81
Sex												
Females	2,334	985	1,349	410	81†	858	189	80	109	33	7†	70
Males	2,188	845	1,343	92	147	1,103	183	71	112	8	12	92
Age (years)												
15-24	1,661	620	1,041	248	130	662	405	151	254	61	32	161
25-34	1,161	445	716	126	46†	544	262	101	162	28	10†	123
35-44	891	370	520	74†	--	427	170	70	99	14†	--	81
45-54	539	242	297	43†	--	230	128	58	71	10†	--	55
55-64	173	97	76†	--	--	64†	64	36	28†	--	--	24†
65 +	97	56†	41†	--	--	--	27	16†	12†	--	--	--
Marital status												
Married	1,337	643	694	78†	--	587	104	50	54	6†	--	46
Common law	503	169	333	--	--	266	245	83	163	--	--	130
Single	2,114	810	1,303	291	165	846	347	133	214	48	27	139
Widow or widower	91	50†	--	--	--	--	69	38†	--	--	--	--
Separated or divorced	440	149	291	68†	--	211	276	93	182	43†	--	133
Don't know/Not stated	--	--	--	--	--	--	--	--	--	--	--	--
Main activity												
Working at a job	2,590	1,086	1,504	235	95	1,174	196	82	114	18	7	89
Looking for work	147	--	118	--	--	79†	327	--	263	--	--	175†
A student	1,149	488	661	145	87	429	384	163	221	49	29	143
Household work²	309	94	216	58†	--	148	152	46	106	28†	--	73
Retired	134	73†	61†	--	--	46†	35	19†	16†	--	--	12†
Other³	113	33†	80†	--	--	49†	220	64†	157†	--	--	96†
Don't know/Not stated	80†	--	51†	--	--	--	--	--	--	--	--	--
Evening activities (# per month)												
Less than 10	416	155	261	42†	--	204	75	28	47	8†	--	37
10 - 19	664	304	360	61†	--	270	128	59	70	12†	--	52
20 - 29	898	382	516	92	44†	380	186	79	107	19	9†	79
30 +	2,542	988	1,554	307	141	1,105	305	119	187	37	17	133
Don't know/Not stated	--	--	--	-	-	--	--	--	--	--	--	--
Household income (\$)												
0-14,999	360	88	272	61†	--	181	254	62	192	43†	--	127
15,000-29,999	557	189	368	70†	--	279	194	66	128	24†	--	97
30,000-39,999	412	164	249	46†	--	189	174	69	105	20†	--	80
40,000-59,999	825	348	477	82†	--	361	199	84	115	20†	--	87
60,000 +	1,226	559	667	92	60†	515	193	88	105	14	9†	81
Don't know/Not stated	1,141	484	658	151	71†	435	--	--	--	--	--	--
Location of home												
Urban	3,813	1,573	2,240	409	202	1,629	199	82	117	21	11	85
Rural	709	257	451	94	--	332	138	50	88	18	--	65

Note: † Coefficient of variation between 16.6% and 33.3%.

Figures may not add to total due to rounding.

- nil or zero

-- amount too small to be expressed

<sup>1</sup> Includes all incidents of spousal sexual and physical assault.<sup>2</sup> Includes taking care of children and maternity/paternity leave.<sup>3</sup> Includes long-term illness and volunteering.

Source: Statistics Canada, General Social Survey, 1999.



Table 4



## Profile of violent crime incidents, 1999<sup>1</sup>

Incident characteristics	Total violent	Sexual assault	Robbery	Assault	Total violent	Sexual assault	Robbery	Assault
	No. of incidents (000s)				% of incidents			
<b>Total</b>	<b>1,974</b>	<b>499</b>	<b>228</b>	<b>1,246</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>Accused had a ...<sup>2</sup></b>								
Gun	67†	--	--	--	3†	--	--	--
Knife	115	--	--	78†	6	--	--	6†
Other weapon	261	--	47†	213	13	--	20†	17
No weapon	1,415	432	120	863	72	87	53	69
Don't know/Not stated	127	58†	--	--	6	12†	--	--
<b>Victim was physically injured</b>								
Yes	364	--	50†	277	18	--	22†	22
No	1,553	408	178	967	79	82	78	78
Don't know/Not stated	57†	54†	-	--	3†	11†	-	--
<b>Incident related to alcohol/drug use by ...</b>								
Accused	854	212	102	540	43	42	45	43
Victim	--	--	-	--	--	--	-	--
Both accused and victim	140	--	--	96	7	--	--	8
Neither accused nor victim	696	173	81†	442	35	35	35†	35
Don't know/Not stated	258	74†	--	153	13	15†	--	12
<b>Victim had difficulty carrying out main activity for a day or more<sup>3</sup></b>								
Yes	463	124	68†	271	24	26	31†	22
No	1,365	291	144	930	71	60	66	76
Don't know/Not stated	89	68†	--	--	5	14†	--	--
<b>Victim talked about incident with ...<sup>2</sup></b>								
Police	354	--	64†	271	18	--	28†	22
Family	1,223	207	172	844	62	41	76	68
Friend/neighbour	1,421	302	191	928	72	61	84	74
Co-worker	875	132	94	649	44	26	41	52
Doctor or nurse	192	--	--	118	10	--	--	9
Lawyer	91	--	--	72†	5	--	--	6†
Clergy	55†	--	--	--	3†	--	--	--

Note: † Coefficient of variation between 16.6% and 33.3%.

Figures may not add to total due to rounding.

- nil or zero

-- amount too small to be expressed

<sup>1</sup> Excludes all incidents of spousal sexual and physical assault.

<sup>2</sup> Total exceeds 100% due to multiple responses.

<sup>3</sup> Excludes victims whose main activity was retired, long-term illness or maternity/paternity leave.

Source: Statistics Canada, General Social Survey, 1999.

Table 5

# Profile of the accused in violent crime incidents, 1999<sup>1</sup>

Incident characteristics	Total violent	Sexual assault	Robbery	Assault	Total violent	Sexual assault	Robbery	Assault
	No. of incidents (000s)				% of incidents			
<b>Total</b>	<b>2,691</b>	<b>502</b>	<b>228</b>	<b>1,961</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>Number of accused</b>								
One	2,159	408	116	1,635	80	81	51	83
More than one	442	--	112	301	16	--	49	15
Don't know/Not stated	90	66†	--	--	3	13†	--	--
<b>Sex of accused<sup>2</sup></b>								
Male	1,451	374	97	979	67	92	84	60
Female	392	--	--	341	18	--	--	21
Don't know/Not stated	316	--	-	315	15	--	-	19
<b>Age of accused<sup>2</sup></b>								
<12 years	--	-	--	--	--	-	--	--
12-17	183	--	--	147	8	--	--	9
18-34	907	220	79†	608	42	54	69†	37
35-54	603	117	--	463	28	29	--	28
55+	117	43†	--	74†	5	11†	--	5†
Don't know/Not stated	337	--	-	332	16	--	-	20
<b>Relationship of accused to victim<sup>2</sup></b>								
Family	797	--	--	766	37	--	--	47
Friend/Acquaintance/Other	781	279	--	459	36	68	--	28
Stranger	572	107	59†	405	26	26	51†	25
Don't know/Not stated	--	--	-	--	--	--	-	--

Note: † Coefficient of variation between 16.6% and 33.3%.

Figures may not add to total due to rounding.

- nil or zero

-- amount too small to be expressed

<sup>1</sup> Includes all incidents of spousal sexual and physical assault.

<sup>2</sup> Based on incidents with a single accused.

Source: Statistics Canada, General Social Survey, 1999.



Table 6

**Household victimization rates, by household characteristics, 1999**

Household characteristics	Total household crimes	Break and enter	Motor vehicle/ parts theft	Theft household property	Vandalism	Total household crimes	Break and enter	Motor vehicle/ parts theft	Theft household property	Vandalism
	No. of incidents (000s)					Rate per 1,000 households				
<b>Total</b>	<b>2,656</b>	<b>587</b>	<b>501</b>	<b>760</b>	<b>808</b>	<b>218</b>	<b>48</b>	<b>41</b>	<b>62</b>	<b>66</b>
<b>Location of home</b>										
Urban	2,248	506	428	639	675	232	52	44	66	70
Rural	408	81†	74†	121	133	164	32†	30†	49	53
<b>Household income (\$)</b>										
0-14,999	196	57†	29†	61†	50†	183	53†	27†	57†	46†
15,000-29,999	373	88	61†	114	110	220	52	36†	67	65
30,000-39,999	309	62†	54†	100	92	245	50†	43†	79	73
40,000-59,999	500	102	104	148	146	247	50	51	73	72
60,000+	761	158	163	205	234	279	58	60	75	86
Don't know/Not stated	517	119	91	131	176					
<b>Household size</b>										
1 person	575	144	100	159	172	176	44	31	49	53
2 persons	795	177	150	222	245	190	42	36	53	59
3 persons	504	119	97	136	152	269	64	52	73	81
4+ persons	782	147	154	243	239	276	52	54	86	84
<b>Type of home</b>										
Single detached	1,568	348	295	448	478	218	48	41	62	66
Semi-detached, row house, or duplex	425	82†	93	113	138	278	53†	60	74	90
Apartment	580	140	103	168	170	212	51	38	61	62
Other	56†	--	--	25†	--	256†	--	--	115†	--
Don't know/Not stated	26†	--	--	--	--					
<b>Ownership of home</b>										
Owned	1,647	344	312	465	527	212	44	40	60	68
Rented	977	235	184	288	271	250	60	47	74	69
Don't know/Not stated	31†	--	--	--	--					

Note: † Coefficient of variation between 16.6% and 33.3%.

Figures may not add to total due to rounding.

-- amount too small to be expressed

Source: Statistics Canada, General Social Survey, 1999.

Table 7

Victimization incidents reported to the police, 1999<sup>1</sup>

	Total no. of incidents	Incidents reported to the police <sup>2</sup>		Incidents not reported to the police		Don't know/Not stated	
	(000s)	(000s)	%	(000s)	%	(000s)	%
<b>Total</b>	<b>6,460</b>	<b>2,417</b>	<b>37</b>	<b>3,828</b>	<b>59</b>	<b>214</b>	<b>3</b>
<b>Total personal</b>	<b>3,804</b>	<b>1,236</b>	<b>32</b>	<b>2,411</b>	<b>63</b>	<b>157</b>	<b>4</b>
Theft personal property	1,831	633	35	1,149	63	--	--
Total violent	1,974	603	31	1,262	64	109	6
Sexual assault	499	--	--	391	78	70†	14†
Robbery	228	105	46	116	51	--	--
Assault	1,246	460	37	754	61	--	--
<b>Total household</b>	<b>2,656</b>	<b>1,181</b>	<b>44</b>	<b>1,417</b>	<b>53</b>	<b>57†</b>	<b>2†</b>
Break and enter	587	365	62	206	35	--	--
Motor vehicle/parts theft	501	303	60	187	37	--	--
Theft household property	760	240	32	506	67	--	--
Vandalism	808	273	34	518	64	--	--

Note: † Coefficient of variation between 16.6% and 33.3%.

Figures may not add to total due to rounding.

-- amount too small to be expressed

<sup>1</sup> Excludes all incidents of spousal sexual and physical assault.

<sup>2</sup> Includes incidents reported by the victim or by someone else.

Source: Statistics Canada, General Social Survey, 1999.

Table 8

## Perceptions of crime for population aged 15+

	1988	1993	1999	1988	1993	1999
	Population 15+ (000s)			% population 15+		
<b>Total</b>	<b>20,194</b>	<b>21,644</b>	<b>24,260</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>During the last 5 years, has crime in your neighbourhood ...</b>						
Increased	..	9,888	7,113	..	46	29
Decreased	..	799	1,414	..	4	6
Stayed the same	..	9,297	13,202	..	43	54
Don't know/Not stated	..	1,660	2,531	..	8	10
<b>Compared to other areas in Canada is crime in your neighbourhood ...</b>						
Higher	1,663	2,166	1,820	8	10	8
About the same	5,941	6,179	6,727	29	29	28
Lower	11,445	12,370	14,440	57	57	60
Don't know/Not stated	1,146	929	1,273	6	4	5

Note: Figures may not add to total due to rounding.

.. figures not available

Source: Statistics Canada, General Social Survey, 1988, 1993 and 1999.



Table 9

Feelings of safety from crime for population aged 15+<sup>1</sup>

	1993	1999	1993	1999
	Population 15+ (000s)		% population 15+	
<b>Total</b>	<b>21,644</b>	<b>24,260</b>	<b>100</b>	<b>100</b>
<b>While waiting for/using public transportation alone after dark, how do you feel about your safety from crime?<sup>2</sup></b>				
Not at all worried	2,919	3,306	51	54
Somewhat worried	2,074	2,390	36	39
Very worried	688	438	12	7
Don't know/Not stated	40†	42†	1†	1†
<b>Total</b>	<b>5,720</b>	<b>6,176</b>	<b>100</b>	<b>100</b>
<b>How safe do you feel from crime when walking alone in your area after dark?<sup>2</sup></b>				
Very safe	6,094	7,964	39	43
Reasonably safe	7,079	8,322	45	45
Somewhat unsafe	1,585	1,627	10	9
Very unsafe	538	412	3	2
Don't know/Not stated	331	63	2	--
<b>Total</b>	<b>15,627</b>	<b>18,388</b>	<b>100</b>	<b>100</b>
<b>While alone in your home in the evening or at night, how do you feel about your safety from crime?<sup>3</sup></b>				
Not at all worried	16,271	19,104	75	80
Somewhat worried	4,390	4,374	20	18
Very worried	941	496	4	2
Don't know/Not stated	42†	44†	--	--
<b>Total</b>	<b>21,644</b>	<b>24,018</b>	<b>100</b>	<b>100</b>
<b>In general, how do you feel about your safety from crime?</b>				
Very satisfied	8,739	10,678	40	44
Somewhat satisfied	9,864	11,292	46	47
Somewhat dissatisfied	1,513	995	7	4
Very dissatisfied	825	449	4	2
Don't know/Not stated	703	847	3	3
<b>Total</b>	<b>21,644</b>	<b>24,260</b>	<b>100</b>	<b>100</b>

Note: † Coefficient of variation between 16.6% and 33.3%.  
Figures may not add to total due to rounding.

-- amount too small to be expressed

<sup>1</sup> There are no comparable data for 1988.

<sup>2</sup> Based on responses for people who engage in these activities.

<sup>3</sup> For 1999 only, this excludes the estimated 1% of the population that is never home alone.

Source: Statistics Canada, General Social Survey, 1993 and 1999.

Table 10



## Perceptions of the justice system for population aged 15+

	1993					1999				
	Total	Good job	Average job	Poor job	Don't know/ Not stated	Total	Good job	Average job	Poor job	Don't know/ Not stated
% population 15+										
<b>What kind of job are your local police doing at ...</b>										
Being approachable	100	64	19	5	12	100	66	17	4	12
Ensuring the safety of citizens	100	58	29	7	6	100	62	26	5	6
Enforcing the laws	100	58	31	6	5	100	60	29	5	5
Supplying information on reducing crime	100	52	26	12	10	100	54	26	9	11
Responding promptly to calls	100	47	23	9	21	100	49	21	8	23
<b>What kind of job are criminal courts doing at ...</b>										
Ensuring a fair trial for the accused	100	46	29	12	14	100	41	35	11	14
Determining the guilt of the accused	100	20	41	21	17	100	21	43	20	17
Helping the victim	100	12	31	42	14	100	15	33	35	16
Providing justice quickly	100	10	30	50	11	100	13	35	41	11
<b>What kind of job is the prison system doing at ...</b>										
Supervising/controlling prisoners	...	..	..	..	..	100	26	32	20	21
Helping prisoners become law-abiding	...	..	..	..	..	100	14	32	28	26
<b>What kind of job is the parole system doing at ...</b>										
Releasing offenders who are not likely to re-offend	...	..	..	..	..	100	15	34	32	19
Supervising offenders on parole	...	..	..	..	..	100	13	30	33	24

Note: Figures may not add to total due to rounding.

.. figures not available

... figures not appropriate or not applicable

Source: Statistics Canada, General Social Survey, 1993 and 1999.



Table 11

## Population estimates for the 1999 General Social Survey<sup>1</sup>

	Population 15+		Households
	No. in thousands		No. in thousands
<b>Total</b>	<b>24,260</b>	<b>Total</b>	<b>12,163</b>
<b>Provinces</b>		<b>Provinces</b>	
Nfld.	440	Nfld.	202
P.E.I.	108	P.E.I.	53
N.S.	756	N.S.	379
N.B.	608	N.B.	302
Que.	5,934	Que.	3,064
Ont.	9,176	Ont.	4,513
Man.	888	Man.	454
Sask.	789	Sask.	408
Alta.	2,310	Alta.	1,143
B.C.	3,253	B.C.	1,645
<b>Urban/rural</b>		<b>Urban/rural</b>	
Urban	19,134	Urban	9,675
Rural	5,126	Rural	2,488
<b>CMA</b>		<b>CMA</b>	
St. John's	142	St. John's	64
Halifax	286	Halifax	144
Saint John	102	Saint John	53
Québec	584	Québec	303
Montréal	2,721	Montréal	1,428
Ottawa-Hull	841	Ottawa-Hull	430
Toronto	3,721	Toronto	1,746
Hamilton	547	Hamilton	268
London	345	London	190
Winnipeg	533	Winnipeg	274
Regina	154	Regina	79
Saskatoon	176	Saskatoon	90
Calgary	744	Calgary	359
Edmonton	738	Edmonton	365
Vancouver	1,656	Vancouver	817
Victoria	264	Victoria	145
<b>Household income (\$)</b>		<b>Household income (\$)</b>	
0-14,999	1,421	0-14,999	1,068
15,000-29,999	2,874	15,000-29,999	1,692
30,000-39,999	2,370	30,000-39,999	1,258
40,000-59,999	4,136	40,000-59,999	2,028
60,000 +	6,349	60,000 +	2,724
Don't know/Not stated	7,111	Don't know/Not stated	3,394
<b>Sex</b>		<b>Household size</b>	
Females	12,320	1 person	3,264
Males	11,940	2 persons	4,185
<b>Age</b>		3 persons	1,875
15-24	4,103	4+ persons	2,838
25-34	4,430	<b>Dwelling type</b>	
35-44	5,253	Single detached	7,198
45-54	4,199	Semi-detached, row house, or duplex	1,532
55-64	2,717	Apartment	2,738
65 +	3,558	Other	217
<b>Marital status</b>		Don't know/Not stated	478
Married	12,821	<b>Dwelling ownership</b>	
Common law	2,048	Owned	7,756
Single	6,093	Rented	3,912
Widow or widower	1,326	Don't know/Not stated	495
Separated or divorced	1,596		
Don't know/Not stated	377		
<b>Main activity</b>			
Working at a job	13,191		
Looking for work	449		
A student	2,992		
Household work	2,042		
Retired	3,790		
Other	512		
Don't know/Not stated	1,284		
<b>Evening activities (# per month)</b>			
Less than 10	5,571		
10 - 19	5,168		
20 - 29	4,827		
30 +	8,321		
Don't know/Not stated	372		

Note: Figures may not add to total due to rounding.

<sup>1</sup> These are the population figures used to calculate rates per 1,000 persons 15+ or per 1,000 households.

Source: Statistics Canada, General Social Survey, 1999.

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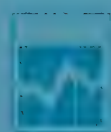
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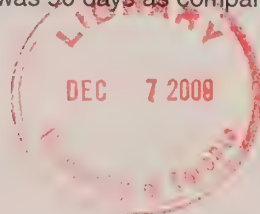


## CRIMINAL HARASSMENT

by Karen Hackett

### HIGHLIGHTS

- Following a slight decrease from 1995 to 1996, the number of criminal harassment incidents reported to police has increased by 32% from 1996 to 1999. The number of cases processed in adult provincial courts also increased by 32% since 1994/95.
- In 1999, 5,382 incidents of criminal harassment were reported by a sample of 106 police forces. These forces represented 41% of the annual volume of reported crime in Canada.
- While victims are predominantly female (77% in 1999), there has been a slight increase (from 19 to 23%) in the proportion of male victims from 1995 to 1999. Most women were stalked by men with whom they had been in previous intimate relationships, while men were most frequently stalked by casual acquaintances.
- Offences commonly associated with criminal harassment incidents include uttering threats, threatening or harassing phone calls, common assault and mischief.
- While most incidents of criminal harassment do not result in physical injury, stalking has the potential of progressing to more serious crimes. There were nine homicides from 1997 to 1999 that involved criminal harassment as the precipitating crime. In each of these homicides, the victim was a female who was being stalked (and subsequently killed) by a recently separated spouse, ex-husband or ex-lover.
- In 1999, 42% of incidents resulted in a charge being laid, compared to 51% in 1995. The most common reason for not laying charges was because the victim did not want to proceed with charges.
- The conviction rate for criminal harassment (53%) is consistent with the rates for common assault (54%), and all crimes against the person (53%). In 1998/99, criminal harassment cases with at least one other charge had a much higher conviction rate (60%) than cases where criminal harassment was a stand-alone charge (36%). More than half (51%) of cases where criminal harassment was the only charge were stayed or withdrawn.
- Imprisonment was imposed in 35% of convicted criminal harassment cases. This is a higher percentage than for common assault cases (28%), but lower than for all other violent offences (55%).
- Prison sentences in criminal harassment cases have been increasing in length in recent years. The median prison sentence length for criminal harassment cases in 1998/99 was 90 days as compared to 30 days in 1994/95.





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## Introduction

Stalking is a form of obsessive behaviour directed, most often, toward another person.<sup>1</sup> For years, the most widely publicized cases of stalking involved public figures such as celebrities and politicians. However, over the past decade, media reports have highlighted cases in which women and men were killed or seriously injured after they had been stalked by their estranged spouses or lovers.

The very first anti-stalking legislation was passed in California in 1990. With the passing of Bill C-126 in Canada in 1993, stalking became a criminal offence called criminal harassment. Section 264 of the *Criminal Code* defines criminal harassment<sup>2</sup> as repeatedly following another person from place to place or repeatedly attempting to contact the person. The legislation also encompasses such behaviours as watching or keeping watch over someone's home or place of business and making threats toward another person. For a person to be charged with criminal harassment, the victim must have reasonable cause to fear for his or her safety or the safety of someone close to them.

### Criminal Harassment

#### Criminal Code of Canada, s. 264

- (1) No person shall, without lawful authority and knowing that another person is harassed or recklessly as to whether the other person is harassed, engage in conduct referred to in subsection (2) that causes that other person reasonably, in all the circumstances, to fear for their safety or the safety of anyone known to them.
- (2) The conduct mentioned in subsection (1) consists of:
  - (a) repeatedly following from place to place the other person or anyone known to them;
  - (b) repeatedly communicating with, either directly or indirectly, the other person or anyone known to them;
  - (c) besetting or watching the dwelling-house, or place where the other person, or anyone known to them, resides, works, carries on business or happens to be; or
  - (d) engaging in threatening conduct directed at the other person or any member of their family
- (3) Every person who contravenes this section is guilty of
  - (a) an indictable offence and is liable to imprisonment for a term not exceeding five years; or
  - (b) an offence punishable on summary conviction.

Before the legislation was enacted, stalkers could be charged under an umbrella of related crimes, including: threatening an assault; threatening to cause death or serious bodily harm; making harassing phone calls; intimidation through violence or threats of violence; persistently following a person from place to place; or besetting or watching a person's house or place of work.

The anti-stalking provision that came into force in 1993 was intended to protect victims of stalking and deter stalkers from engaging in threatening behaviour. Under this legislation, criminal harassment was a hybrid offence<sup>3</sup> with a maximum penalty of 5 years imprisonment.

<sup>1</sup> There have been incidents of stalking involving a company, group or organization (such as an abortion clinic) as the target.

<sup>2</sup> Throughout this paper, the terms "stalking" and "criminal harassment" will be used interchangeably, "stalking" will refer to the act while "criminal harassment" will refer to the criminal offence.

<sup>3</sup> A hybrid offence may be processed as a summary or indictable offence. Indictable offences involve more formal procedures and require that a set of procedural rules and established proceedings be followed (such as providing the accused the option of trial by judge or jury). A summary procedure follows simpler more expeditious procedures set out in the Criminal Code, disregarding more procedural rules. Criminal harassment cases that are prosecuted on indictment carry a maximum five-year term of imprisonment.

Since the introduction of the legislation, changes have been made to existing Criminal Code provisions. A 1996 amendment (included in Bill C-68) prohibits a person accused of criminal harassment from possessing firearms, ammunition or explosive substances if the accused is considered, at a bail hearing, to be a potential danger to himself/herself or another person. According to a 1997 amendment (included in Bill C-27), when a person is convicted of stalking while under a restraining order, the presence of this restraining order shall be considered as an aggravating factor in sentencing.<sup>4</sup> Under another amendment included in the same Bill<sup>5</sup>, murder committed during the commission of a stalking act could result in a first-degree murder conviction even if it could not be proved that the murder was planned. The most recent Bill (C-36), introduced in June 2000, is proposing that the maximum penalty under Section 264 be doubled from five to ten years.

It has now been seven years since the initial legislation was enacted in Canada. This Juristat outlines the characteristics of criminal harassment incidents as well as the characteristics of the accused and victim for 1999, and identifies trends over the past five years. (Trend data are only available for the five-year period from 1995 to 1999.) This Juristat updates a similar Juristat written in 1996<sup>6</sup> using information collected from police forces and adult criminal courts to review the charges laid and sentences imposed for cases involving criminal harassment.

### Reported incidents of stalking have increased

A total of 106 police forces reported to the UCR2 survey consistently from 1995 to 1999, accounting for 41% of the national volume of reported crime in Canada. Data from these 106 forces indicate that a total of 5,382 incidents of stalking involving 5,910 victims and 3,842 accused were reported in 1999 (Table 1).<sup>7</sup> However, because not all police forces in Canada report to the UCR2 survey, the number does not represent the actual number of incidents of stalking in all of Canada in 1999.

## Police-reported data

### UCR2 Survey

The Uniform Crime Reporting Incident-Based (UCR2) Survey collects information on police-reported crimes from a sample of police forces in Canada. The number of police forces reporting to the UCR2 survey has been increasing from year to year. For the purposes of this report, a subset of 106 police forces who have been consistently reporting to the UCR2 from 1995 to 1999 (UCR2 Trend database) will be examined. These 106 police forces include Toronto, Montreal, Calgary, Edmonton, Vancouver, and Regina and represent 41% of the national volume of crime. The data are primarily from urban police forces and, as a result, the data are not geographically representative at the national level. Please refer to the methodology section of this report and to Statistics Canada Publication 85-205-XPE for more information on the UCR2 survey and the trend database.

Based on the data for the subset of police services who have reported consistently from 1995 to 1999, it appears the number of reported criminal harassment incidents has increased over this period (Figure 1). Following a slight decrease (4%) from 1995 to 1996, the number of criminal harassment incidents reported to police has increased by 32% over the past four years (1996 to 1999) (Table 1). This does not necessarily indicate an increase in stalking incidents as the reporting practices of victims and police may influence the number of reported crimes. It may, however, indicate a greater awareness of criminal harassment and the potential seriousness of the crime.

- <sup>4</sup> Department of Justice. "Amendments Tabled on Child Prostitution, Child Sex Tourism, Criminal Harassment and Female Genital Mutilation", April 1996.  
<sup>5</sup> Department of Justice. "Measures to Protect Women and Children Come Into Force", 1997.  
<sup>6</sup> Rebecca Kong, "Criminal Harassment". Juristat, Catalogue no. 85-002-XPE. Vol. 16, no. 12. Statistics Canada: Canadian Centre for Justice Statistics.  
<sup>7</sup> Counts for incidents, accused and victims are based on all violations of criminal harassment, regardless of whether it was the most serious violation in the incident or not.

Table 1

### Criminal harassment incidents reported to police, 1995-1999

	Incidents <sup>1</sup>		Victims		Accused <sup>2</sup>	
	Number	Percent change %	Number	Percent change %	Number	Percent change %
1995	4,250	...	4,462	...	3,116	...
1996	4,071	-4	4,304	-4	2,915	-6
1997	4,262	5	4,549	6	2,925	0
1998	5,076	19	5,435	19	3,593	23
1999	5,382	6	5,910	9	3,842	7

... Not applicable

<sup>1</sup> Counts of incidents, victims and accused are based on all criminal harassment incidents.

<sup>2</sup> Accused count is lower because not all cases are solved or have an identified accused.

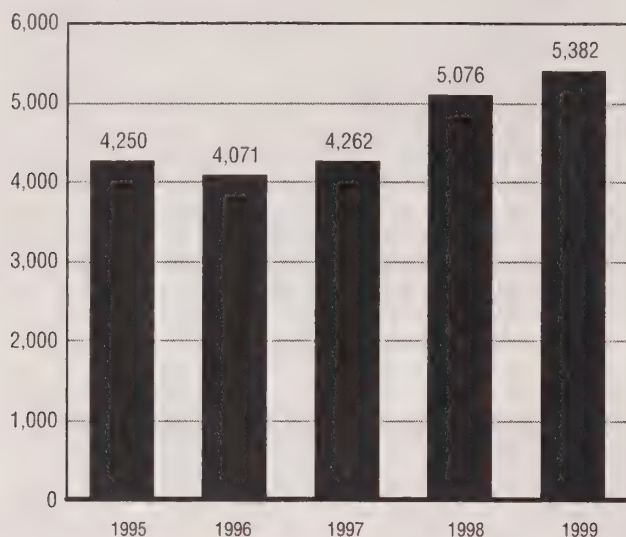
Source: Incident-based Uniform Crime Reporting (UCR2) Survey, Trend database, CCJS, Statistics Canada, 1995-1999. Non-representative sample of 106 police forces representing 41% of the national volume of reported crime.



Figure 1

## Criminal harassment incidents increasing since 1996

Number of Reported Incidents



Source: UCR2 survey, Trend database, CCJS, Statistics Canada, 1995-1999. Based on a non-representative sample of 106 police forces, representing 41% of the national volume of reported crime.

## Criminal harassment rates vary by region

There is considerable variability in the rates of criminal harassment incidents reported by major police forces across the country. Table 2 shows criminal harassment data for 10 selected cities. It should be noted that these data correspond to the police force boundaries of the city, and do not represent

census metropolitan areas. Among the 10, the lowest rates reported in 1999 were for Edmonton (11 incidents per 100,000 population), Calgary and London (both 12) while criminal harassment rates were higher in Saskatoon (75), Montreal (73) and Vancouver (68).

Over the five year period, the rate of criminal harassment more than doubled in Vancouver (from 25 in 1995 to 68 in 1999) and Edmonton (from 5 in 1995 to 11 in 1999). Montreal and Niagara Region also saw substantial increases over this time period. While criminal harassment rates remained relatively stable or increased slightly since 1995 for other major cities, the rate of criminal harassment actually declined in Toronto from 51 in 1995 to 40 in 1999.

## Related offences

Of the 5,382 incidents of criminal harassment reported to the 106 police forces in 1999, 20% involved other violations. Other offences commonly committed with criminal harassment include uttering threats, threatening or harassing phone calls, mischief and other *Criminal Code* offences (Table 3 and Figure 2).

When criminal harassment was accompanied by other offences, it was the most serious offence in 86% of the incidents. Among the incidents where stalking was not the most serious violation, over half involved common assault as the most serious violation, followed by assault with a weapon or causing bodily harm, and sexual assault. This pattern was consistent over the five-year period.

According to the Homicide Survey<sup>8</sup> conducted by Statistics Canada, there were nine homicides from 1997 to 1999 that cited criminal harassment as the precipitating crime.

<sup>8</sup> Statistics Canada collects detailed information from each police force in Canada on homicides in their jurisdictions. Data on criminal harassment as a precipitating crime were only available beginning in 1997.

Table 2

## Rate of criminal harassment incidents for 10 selected police services<sup>1</sup>, 1995-1999

	1995		1996		1997		1998		1999	
	Number of reported incidents	Rate per 100,000 population	Number of reported incidents	Rate per 100,000 population	Number of reported incidents	Rate per 100,000 population	Number of reported incidents	Rate per 100,000 population	Number of reported incidents	Rate per 100,000 population
Saskatoon	136	69	178	89	161	80	163	80	154	75
Montreal	852	47	893	49	891	49	1,209	67	1,310	73
Vancouver	132	25	198	37	278	51	318	57	379	68
Toronto	1,229	51	992	40	826	33	1,088	43	1,002	40
Niagara Region	72	18	59	14	87	21	106	25	109	26
Regina	33	18	18	10	44	24	44	24	44	24
Waterloo Region	34	8	49	12	69	16	118	27	77	18
London	63	19	44	13	40	12	61	18	42	12
Calgary	74	10	73	9	100	12	119	14	105	12
Edmonton	33	5	27	4	42	7	61	9	69	11

<sup>1</sup> These cities correspond to police service boundaries and do not represent census metropolitan areas.

Source: Incident-based Uniform Crime Reporting (UCR2) Survey, Trend database, CCJS, Statistics Canada, 1995-1999. Non-representative sample of 106 police forces representing 41% of the national volume of reported crime.

Table 3

Related offences in incidents involving criminal harassment<sup>1</sup>, 1995-1999

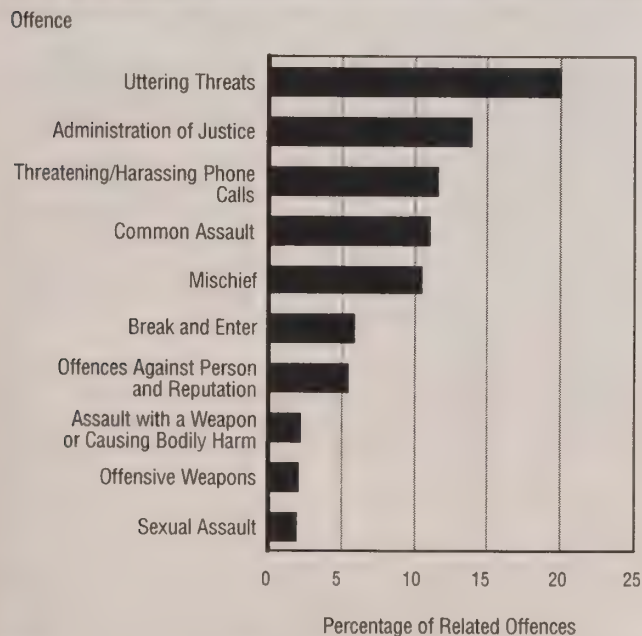
	Percent (%) of related offences				
	1995	1996	1997	1998	1999
Uttering Threats	...	...	...	10	20
Administration of Justice	16	15	14	15	14
Threatening/Harassing Phone Calls	11	12	13	13	12
Common Assault	14	11	12	12	11
Mischief	9	10	12	10	10
Other Criminal Code Offences	8	8	8	8	8
Break and Enter	5	6	7	8	6
Offences against Person and Reputation	24	22	19	13	5
Assault with a Weapon or Causing Bodily Harm	2	4	3	2	2
Offensive Weapons	1	2	2	1	2
Sexual Assault	3	3	3	2	2
Other Property Offences	3	3	3	3	4
Other Violations against the Person	3	3	3	3	3
Other Federal Statute Violations	1	1	1	1	2
<b>Grand Total<sup>2</sup></b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>Number of related offences<sup>3</sup></b>	<b>980</b>	<b>957</b>	<b>896</b>	<b>1,111</b>	<b>1,189</b>
<b>Number of criminal harassment incidents</b>	<b>4,250</b>	<b>4,071</b>	<b>4,262</b>	<b>5,076</b>	<b>5,382</b>

... Not applicable

<sup>1</sup> Represents approximately 20% of criminal harassment incidents reported to the subset of police services each year.<sup>2</sup> Percentages may not add up to 100% due to number rounding.<sup>3</sup> Refers to the total number of related offences associated with criminal harassment, one incident may have multiple related offences.**Source:** Incident-based Uniform Crime Reporting (UCR2) Survey, Trend database, CCJS, Statistics Canada, 1995-1999. Non-representative sample of 106 police forces representing 41% of the national volume of reported crime.

Figure 2

## Uttering threats is most common offence related to criminal harassment, 1999

**Source:** UCR2 survey, Trend database, CCJS, Statistics Canada, 1999.

Based on a non-representative sample of 106 police forces, representing 41% of the national volume of reported crime.

## Predominantly a crime against women

The victim of stalking is usually a woman and her stalker is most often a man. According to the sample of 106 police services in Canada, just over three-quarters (77%) of reported victims of criminal harassment in 1999 were women. The rate of stalking in 1999 (based on the population for the areas covered by the 106 police forces) was 69 per 100,000 for women as compared to 20 per 100,000 for men (Figure 3). While victims are predominantly female, there has been a slight increase in the proportion of male victims (from 19% to 23%) over the past five years.

Consistent with the risk patterns for sexual assault and common assault identified in the Victimization Survey, part of the General Social Survey conducted by Statistics Canada in 1999, the rates of criminal harassment are highest for young women.<sup>9</sup>

In a 1996 Violence Against Women Survey conducted in the United States<sup>10</sup>, 78 percent of those who reported being stalked in the previous year were women while 87 percent of the reported stalkers were men. The telephone study estimated that about 1,000,000 women and 370,000 men were stalked in the previous year in the United States while 8,000,000 women and 2,000,000 men had been stalked in their lifetime.

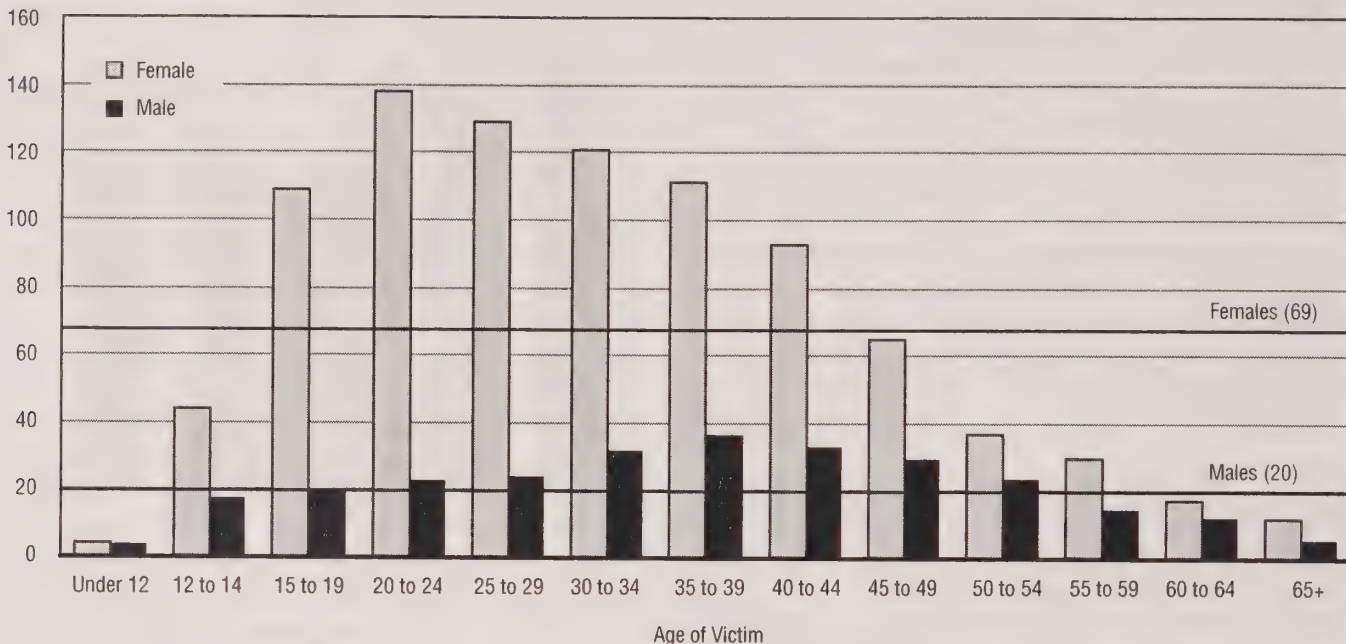
<sup>9</sup> "Family Violence in Canada: A Statistical Profile, 2000". Catalogue no. 85-224-XIE. Statistics Canada, Canadian Centre for Justice Statistics.<sup>10</sup> Stalking in America: Findings from the National Violence against Women Survey. US Department of Justice, 1998.



Figure 3

### Females<sup>1</sup> aged 20-24 at greatest risk of being stalked, 1999

Rate Per 100,000 Population



<sup>1</sup> Excludes victims where age or sex is unknown.

Source: UCR2 survey, Trend database, CCJS, Statistics Canada, 1999.

Based on a non-representative sample of 106 police forces, representing 41% of the national volume of reported crime.

### Most accused are male

Males accounted for 84% of accused in 1999. According to 1999 data (based on the population for the areas covered by the 106 police forces), 48 in every 100,000 men and 10 in every 100,000 women were accused of stalking (Figure 4). While males are predominantly more likely to be accused of stalking, the proportion of females accused of stalking has increased slightly, from 13% to 16%, in recent years.

Compared to other persons committing crimes against the person, stalkers tend to be older. The median<sup>11</sup> age for men and women accused of stalking was 35 and 36, respectively, compared to 29 years for all other crimes against the person.

According to data from the 106 police forces the median age of stalking victims in 1999 was 33 years (Table 4). Female victims were generally younger than male victims with a median age of 32 as compared to a median age of 37 for males. The age patterns for male and female victims have been consistent from 1995 to 1999.

### Relationship between victims and stalkers

There are many different types of stalkers. One typology proposes seven categories of stalkers: the random target stalker; the celebrity stalker; the single-issue stalker; the casual acquaintance stalker; the co-worker stalker; the intimate partner stalker; and the domestic violence stalker.<sup>12</sup>

However, most victims of criminal harassment know their accused quite well and, in many instances, the stalker and victim were involved in a previous relationship.

### Stalking may start while the victim and accused are living together

According to police-reported data, stalking may begin while the victim is living with the accused. In one-third<sup>13</sup> of the incidents in 1999 in which women reported being stalked by their husbands, the couple was living together at the time of the stalking. This pattern was consistent over five years: between 25% and 33% of women were still living with their husbands at the time the stalking occurred.

Stalking involves a behaviour that may continue for a long period of time before it is actually reported to police. For individuals who no longer live together when the incident is reported, it may be possible that they were living together

<sup>11</sup> Median refers to the middle value in a set of values ordered from lowest to highest.

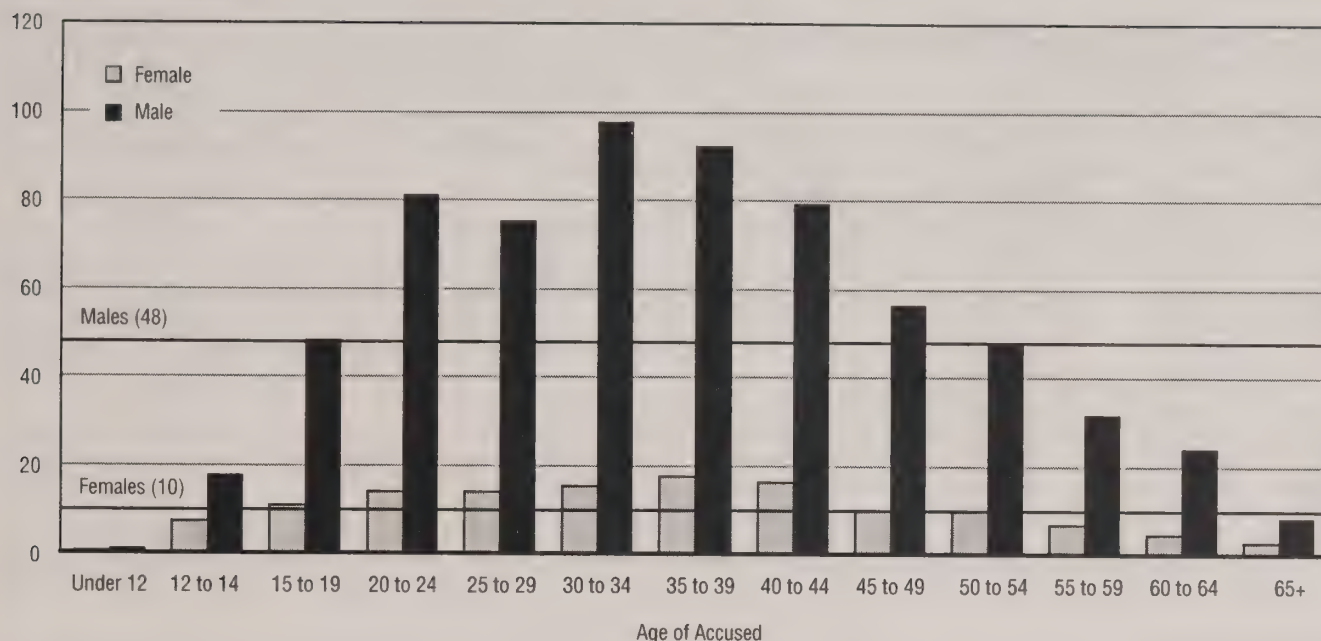
<sup>12</sup> Mahaffey-Sapp, C. & Sapp. "An Analysis and Preliminary Typology of Stalkers" unpublished, pp. 1-34. Personal communication with Dr. Alan Sapp at FBI Academy, Quantico, Virginia, March 1998 and at Ontario Provincial Police General Headquarters, Orillia, Ontario, September 1998. As cited in "A Handbook for Police and Crown Prosecutors on Criminal Harassment", Department of Justice, Canada, September 1999.

<sup>13</sup> This figure does not include incidents where it could not be determined whether the victim and accused were living together at the time the stalking occurred.

Figure 4

### Males<sup>1</sup> aged 30 to 39 more likely to be stalkers, 1999

Rate Per 100,000 Population

<sup>1</sup> Excludes accused where age or sex is unknown.

Source: UCR2 survey, Trend database, CCJS, Statistics Canada, 1999.

Based on a non-representative sample of 106 police forces, representing 41% of the national volume of reported crime.

Table 4

### Victims<sup>1</sup> of criminal harassment by age and sex, 1999

	Female		Male		Total	
	Number	%	Number	%	Number	%
Under 12	43	1	34	3	77	1
12-14	107	2	40	3	147	3
15-19	460	10	79	6	539	9
20-24	633	14	102	8	735	13
25-29	658	15	120	9	778	14
30-34	670	15	168	13	838	15
35-39	668	15	215	16	883	15
40-44	509	12	184	14	693	12
45-49	306	7	143	11	449	8
50-54	151	3	100	8	251	4
55-59	92	2	46	3	138	2
60-64	43	1	33	3	76	1
65+	77	2	53	4	130	2
<b>Total<sup>2</sup></b>	<b>4,417</b>	<b>100</b>	<b>1,317</b>	<b>100</b>	<b>5,734</b>	<b>100</b>

<sup>1</sup> Does not include victims where age or sex of victim is unknown.<sup>2</sup> Percentages may not add up to 100% due to number rounding.

Source: Incident-based Uniform Crime Reporting (UCR2) Survey, Trend database, CCJS, Statistics Canada, 1999. Non-representative sample of 106 police forces representing 41% of the national volume of reported crime.



when the incidents began and they subsequently moved apart. In the Violence Against Women Survey conducted in the United States, 21% of the women who had been stalked by former husbands or partners said that stalking occurred before the relationship ended, and 36% said it occurred both before and after.<sup>14</sup>

### Women tend to be stalked by ex-partners, men by casual acquaintances

To determine the relationship between the stalker and the victim within the sample of police-reported data, incidents in which a victim was stalked by more than one accused or in which no accused was identified were excluded from the analysis. (Refer to the methodology section of this report for more information on this method.) When incidents involving multiple accused were removed, a total of 3,635 incidents involving 4,021 victims and 3,635 accused remained in the 1999 sample.

The relationship of the stalker to the victim is largely determined by the sex of the victim (Table 5). Of the stalking cases reported by the 106 police forces in 1999, over one-half (56%) of female victims were stalked by a person with whom they currently or previously had an intimate relationship (Figure 5). The stalkers of men were, most frequently, casual acquaintances (44%), strangers (12%), and business relations (12%). This pattern was relatively consistent over the five-year period (Table 6).

### Female victims

Nine in ten female stalking victims in 1999 were stalked by men. While one in five women were stalked by men who

were casual acquaintances, most women were stalked by men with whom they had been in previous intimate relationships, usually an ex-husband or ex-boyfriend (58%).<sup>15</sup> Four percent of women were stalked by current husbands. This pattern was consistent over the five-year period.

In 1999, one in ten female victims were stalked by other females. The proportion of females being stalked by other females has increased over the past five years from 7% in 1995 and 1996 to 10% in 1998 and 1999 (Table 5). When women stalked other women, they were most often casual acquaintances (60%) and, in one in ten cases, they were strangers.

### Male victims

Two-thirds of men were stalked by other men in 1999. Half of the males stalked by another male were stalked by a casual acquaintance, and a further 31% were stalked by men who were strangers or business acquaintances. This trend was relatively stable over the five-year period.

One-third of the male victims in 1999 were stalked by a female. Generally, the female stalker was the same age or slightly younger than the male victim. Over half (51%) of the men stalked by women in 1999 were stalked by a female with whom they had previously been intimate (usually an ex-wife or ex-girlfriend). From 1995 to 1999, between 27% and 35% of men victimized by women were stalked by a casual acquaintance.

<sup>14</sup> *Stalking in America: Findings from the National Violence against Women Survey*. US Department of Justice, 1998.

<sup>15</sup> These numbers include only females stalked by men as opposed to the 56% previously mentioned which refers to all accused (males and females).

#### Relationship of accused to victim

**Husband:** The accused is male and the victim is female. At the time of the incident, the victim and accused were spouses through marriage or common-law.

**Ex-husband:** A male accused and female victim who had been previously married or common law and were legally separated or divorced at the time of the incident.

**Wife:** A female accused and male victim who, at the time of the incident, were spouses through marriage or common-law.

**Ex-wife:** A female accused and male victim who had previously been married or common-law and were legally separated or divorced at the time of the incident.

**Current or ex-boyfriend:** A male accused and female victim who, at the time of the incident, were involved in a long-term or close (intimate) relationship. Ex-friends of the opposite sex are also included in this category.

**Current or ex-girlfriend:** A female accused and male victim who, at the time of the incident, were involved in a long-term or close (intimate) relationship. Ex-friends of the opposite sex are also included in this category.

**Casual acquaintance:** The victim and accused knew one another socially but were neither long-term nor close friends at the time of the incident. Also included in this category are people who were neighbours and people who knew one another by sight.

**Business relation:** The workplace involved is the primary source of contact between the victim and the accused. Co-workers, business partners, employees-employers and non-commercial relationships (e.g., teacher-student, physician-patient) are also included in this category.

**Other family:** The victim and accused are related but not through marriage or common-law. Other family members include, parents, children, other immediate family members (e.g., siblings) or extended family members (e.g., grandparents, uncles, aunts, cousins, and in-laws).

**Stranger:** The accused is not known to the victim in any way.

**Other:** Any relationships not covered in the above categories are included in this category, such as same-sex partners (current or previous) and long-term or close friends of the same sex (current or previous).

Table 5

### Victims and persons accused of criminal harassment by sex, 1995-1999

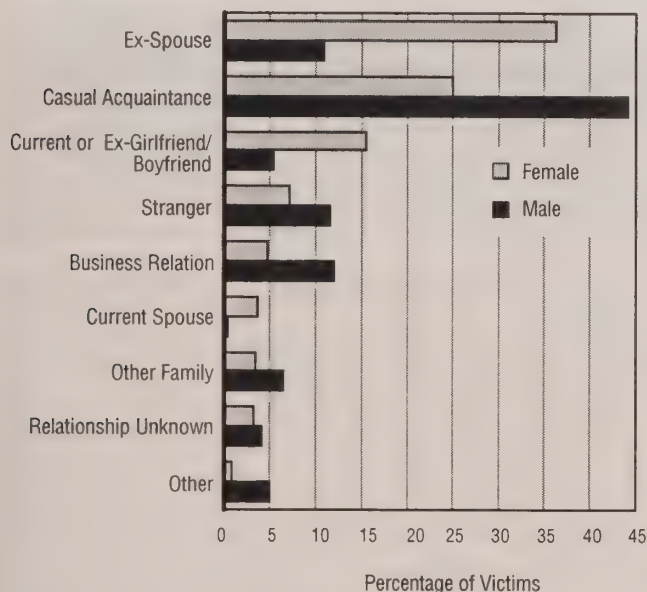
		Female Accused		Male Accused		Total Accused <sup>1</sup>	
		Number	%	Number	%	Number	%
1995	Female victim	176	7	2,309	93	2,485	100
	Male victim	173	30	407	70	580	100
	<b>Total victims</b>	<b>349</b>	<b>11</b>	<b>2,716</b>	<b>89</b>	<b>3,065</b>	<b>100</b>
1996	Female victim	167	7	2,198	93	2,365	100
	Male victim	181	32	381	68	562	100
	<b>Total victims</b>	<b>348</b>	<b>12</b>	<b>2,579</b>	<b>88</b>	<b>2,927</b>	<b>100</b>
1997	Female victim	175	8	2,136	92	2,311	100
	Male victim	208	33	414	67	622	100
	<b>Total victims</b>	<b>383</b>	<b>13</b>	<b>2,550</b>	<b>87</b>	<b>2,933</b>	<b>100</b>
1998	Female victim	285	10	2,504	90	2,789	100
	Male victim	255	33	519	67	774	100
	<b>Total victims</b>	<b>540</b>	<b>15</b>	<b>3,023</b>	<b>85</b>	<b>3,563</b>	<b>100</b>
1999	Female victim	324	10	2,796	90	3,120	100
	Male victim	295	33	602	67	897	100
	<b>Total victims</b>	<b>619</b>	<b>15</b>	<b>3,398</b>	<b>85</b>	<b>4,017</b>	<b>100</b>

<sup>1</sup> Excludes incidents involving more than one accused or where sex of accused or victim are unknown. An accused may be counted more than once in cases involving multiple victims.  
**Source:** Incident-based Uniform Crime Reporting (UCR2) Survey, Trend database, CCJS, Statistics Canada, 1995-1999. Non-representative sample of 106 police forces representing 41% of the national volume of reported crime.

Figure 5

### Females<sup>1</sup> commonly stalked by current or ex-husbands, males by casual acquaintances, 1999

Victim-Accused Relationship



<sup>1</sup> Excludes victims where sex (of victim or accused) is unknown.

**Source:** UCR2 survey, Trend database, CCJS, Statistics Canada, 1999.

Based on a non-representative sample of 106 police forces, representing 41% of the national volume of reported crime.

### Stalking usually takes place at the victim's home

Most stalking takes place at or near the victim's home. According to data from the 106 police services for 1999, three in every four stalking incidents occurred at a private residence. Of these, nine in ten incidents occurred at the home of the victim. Stalking was likely to occur in the home regardless of the relationship between the accused and victim. However, the closer the relationship between the accused and victim, the more likely the stalking was to occur in the home (Table 7). Stalking incidents involving business relations (37%) and strangers (44%) were least likely to occur in the home.

The prevalence of stalking in the workplace is unknown. Available data suggest that one in ten stalking incidents in 1999 took place in commercial or corporate locations (because of data limitations, it can not be determined if the location is the victim's place of work). However, of all stalking incidents, 2% occurred at a commercial location and involved a business acquaintance, which suggests that these may be work-related incidents. In 1999, men were slightly more likely than women to be stalked in commercial or corporate places (13% vs. 10%).

### Few incidents involve physical injury

Very few criminal harassment incidents resulted in physical injuries to the victim. Less than two percent of the stalking victims reported any type of physical injury to police in 1999, consistent with previous years. However, in 1999, a weapon was present in 20% of the incidents and physical force in 14%. Threats of possible harm were quite common (in 52% of the incidents), thus increasing the fear of physical harm.



Table 6

### Victims of criminal harassment by sex and accused-victim<sup>1</sup> relationship, 1995-1999

	1995		1996		1997		1998		1999	
	Number	%	Number	%	Number	%	Number	%	Number	%
<b>Female Victims</b>										
Ex-husband	879	35	897	38	916	40	1,081	39	1,134	36
Husband	140	6	101	4	101	4	134	5	115	4
Current or ex-boyfriend	415	17	415	18	352	15	418	15	482	15
Other family	82	3	90	4	88	4	116	4	111	4
Casual acquaintance	559	22	548	23	523	23	664	24	782	25
Business relation	79	3	79	3	93	4	99	4	146	5
Stranger	201	8	164	7	170	7	199	7	225	7
Other	13	1	14	1	16	1	22	1	24	1
Relationship unknown	117	5	57	2	52	2	56	2	101	3
<b>Grand Total<sup>2</sup></b>	<b>2,485</b>	<b>100</b>	<b>2,365</b>	<b>100</b>	<b>2,311</b>	<b>100</b>	<b>2,789</b>	<b>100</b>	<b>3,120</b>	<b>100</b>
<b>Male Victims</b>										
Ex-wife	59	10	59	10	76	12	100	13	98	11
Wife	2	0	3	1	4	1	5	1	3	0
Current or ex-girlfriend	18	3	28	5	26	4	44	6	49	5
Other family	44	8	39	7	44	7	64	8	59	7
Casual acquaintance	276	48	236	42	279	45	384	50	396	44
Business relation	49	8	49	9	58	9	62	8	107	12
Stranger	67	12	77	14	72	12	48	6	104	12
Other	40	7	40	7	38	6	39	5	44	5
Relationship unknown	25	4	31	6	25	4	28	4	37	4
<b>Grand Total<sup>2</sup></b>	<b>580</b>	<b>100</b>	<b>562</b>	<b>100</b>	<b>622</b>	<b>100</b>	<b>774</b>	<b>100</b>	<b>897</b>	<b>100</b>

<sup>1</sup> Cases in which the sex of the accused and/or the victim is unknown are excluded.

<sup>2</sup> Percentages may not add to 100% due to number rounding.

**Source:** Incident-based Uniform Crime Reporting (UCR2) Survey, Trend database, CCJS, Statistics Canada, 1995-1999. Non-representative sample of 106 police forces representing 41% of the national volume of reported crime.

Table 7

### Persons accused of criminal harassment by victim-accused relationship and location of the incident<sup>1</sup>, 1999

	Residence		Commercial/ Corporate places		Roads and Public Transportation		Public Institutions		Schools		Parking Lots		Open Areas		Total <sup>2</sup> Number	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
<b>Relation of Accused to Victim</b>																
Ex-husband	921	85	63	6	55	5	18	2	9	1	15	1	2	0	1,083	100
Husband	94	82	8	7	9	8	1	1	--	--	2	2	1	1	115	100
Current or ex-wife	81	84	9	9	2	2	5	5	--	--	--	--	--	--	97	100
Current or ex-boyfriend	378	81	41	9	26	6	4	1	5	1	10	2	1	0	465	100
Current or ex-girlfriend	34	77	6	14	1	2	2	5	--	--	1	2	--	--	44	100
Other family	142	86	13	8	2	1	3	2	2	1	3	2	1	1	166	100
Business relation	94	41	71	31	16	7	28	12	8	4	9	4	1	0	227	100
Casual acquaintance	821	73	103	9	95	8	32	3	39	3	20	2	10	1	1,120	100
Stranger	146	50	55	19	51	17	20	7	7	2	6	2	8	3	293	100
Other	53	84	6	10	3	5	1	2	--	--	--	--	--	--	63	100
Relationship unknown	87	66	23	17	13	10	8	6	--	--	1	1	--	--	132	100

-- nil or zero

<sup>1</sup> Excludes incidents involving more than one accused, where sex of accused or victim are unknown or where location is unknown.

<sup>2</sup> Percentages may not add to 100% due to number rounding.

**Source:** Incident-based Uniform Crime Reporting (UCR2) Survey, Trend database, CCJS, Statistics Canada, 1999. Non-representative sample of 106 police forces representing 41% of the national volume of reported crime.

## Cyberstalking

In 1999, 42% of Canadian households had at least one regular user of the Internet.<sup>16</sup> As more and more people are using the Internet, they are becoming vulnerable to a new and increasing crime — cyber crime.

Cyberstalking, also known as on-line harassment, is closely related to real-life stalking. Chat rooms, message boards and e-mail are places in which a victim may be particularly vulnerable to cyberstalking. An individual may use a chat room to meet other people and subsequently harass them. A cyberstalker may also use e-mail to send threatening or obscene messages to their victim. In some cases, the stalker and victim might know one another. Other incidents have involved the cyberstalker campaigning against the victim by posting information about the intended target on discussion groups or poster boards (possibly by pretending to be the victim). In these incidents, the cyber-stalker may elicit a third party to harass and threaten the victim.

In some incidences, stalking that takes place on-line remains on-line. It is also possible for cyberstalking to extend to real-life. The stalker may use a chat room discussion to obtain sufficient information about the target and/or gather information from other Internet sites. The stalker can then use the information to locate the victim and engage in 'real-life' stalking behaviours.

Like real-life stalking, cyberstalking can cause extreme fear in the victim. The threats made on-line have the potential to carry over into real life. The stalker's threats over the Internet may become more severe because barriers may be lowered as a result of the lack of contact and the anonymity provided by the Internet.

On-line stalkers can be charged under the criminal harassment provision of the *Criminal Code of Canada*. (While some American states have adopted cyberstalking laws, other states have revised their anti-stalking laws to include cyberstalking.) However, the nature of the cyberstalking often makes it difficult to identify and subsequently charge the stalkers. Anonymity makes it difficult to identify the stalker as they may assume other identities or go to great lengths to cover their tracks. Often, cyberstalking does not involve witnesses. An added difficulty with charging a cyberstalker is that the crime may take place in different cities or even countries causing a jurisdictional problem.<sup>17</sup>

Little information exists on the extent and nature of cyberstalking. Some evidence suggests that cyberstalking, like criminal harassment, is a crime where the majority of victims are women.<sup>18</sup>

Stalking has the potential of becoming a more serious crime. Over time, the behaviour may increase in severity and, eventually, lead to serious physical injury or death. There were nine stalking-related homicides reported to Statistics Canada's Homicide<sup>19</sup> survey in the past three years. In each of these cases, the victim was a female who was being stalked (and subsequently killed) by a recently separated spouse, ex-husband or ex-lover.

Although physical injury resulting from stalking is rare, the emotional impact may be substantial. By nature, the crime of stalking involves multiple violations against the victim, including threats of potential violence. The repeated occurrence of such behaviours may have a cumulative negative impact on the emotional well-being of the victim. Studies conducted with victims of stalking have found that depression, anxiety, guilt, shame, and humiliation are not uncommon in victims following the stalking incidents.<sup>20</sup>

### Men more likely to be charged than women

According to the sample of 106 police forces, 73% of stalking incidents reported to police in 1999 were solved (*Table 8*). In 61% of the cases in which an accused was identified, charges were laid. Men were more likely to be charged than women. While 64% of accused men were charged, only 46% of accused women were charged. Incidents involving close family members, including women being stalked by their spouse, were more likely to result in charges being laid than those involving acquaintances or strangers. The proportion of accused persons being cleared by charge has generally decreased over the past five years (from 71% to 61%).

In 27% of the incidents in which an accused was identified in 1999, the complainant did not want to proceed with charges. This proportion has been steadily increasing since 1995, when only 17% of victims did not want to proceed with charges.

In the review of the criminal harassment legislation conducted by the Department of Justice<sup>21</sup>, victims were asked why they did not want to proceed with laying a charge. For some victims, the stalking had ended once the incident was reported and that was sufficient reason to not continue with charges. In other instances, the stalker and victim were no longer living in the same area and, as a result, the stalking behaviour had ended and charges were dropped. A study of criminal harassment charges processed by the British Columbia Criminal Harassment unit found that charges were also dropped because victims felt that the threat of being charged would be an effective deterrent for the stalker. In other cases, the victims did not want charges to proceed because they feared the incidents would escalate in seriousness with police involvement.<sup>22</sup>

<sup>16</sup> Household Internet Use. *The Daily*, Statistics Canada. May 19, 2000.

<sup>17</sup> Kerry Ramsay. "Electronic stalkers at large: Tracking down harassment in cyberspace". *Technological Crime Bulletin*, Communications Unit, RCMP Public Affairs and Information Directorate, 1998.

<sup>18</sup> As reported in "Cyberstalking: A real life problem". *GrafX-Specs Design & Hosting* ([www.grafx-specs.com/News/](http://www.grafx-specs.com/News/)), 1997.

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<sup>21</sup> Gill & Brockman. *A Review of Section 264 of the Criminal Code*, Department of Justice, 1996.

<sup>22</sup> Report of the Criminal Harassment Unit Part II: *The Nature and Extent of Criminal Harassment in BC* (April 1995)



Table 8

### Incidents<sup>1</sup> of criminal harassment by clearance status, 1995-1999

Cleared (solved)														
Cleared by charge			Cleared otherwise								Total Cleared		Total Not Cleared	
			Complainant does not want to proceed with charges		Departmental discretion <sup>2</sup>		Beyond control of department <sup>3</sup>		Other <sup>1</sup>					
Number	% of cleared		Number	% of cleared	Number	% of cleared	Number	% of cleared	Number	% of cleared	Number	% of incidents	Number	% of incidents
1995	2,154	68	608	19	257	8	131	4	29	1	3,179	75	1,071	25
1996	1,937	66	643	22	207	7	138	5	26	1	2,951	72	1,120	28
1997	1,775	60	707	24	223	8	176	6	53	2	2,934	69	1,328	31
1998	2,092	59	905	25	288	8	223	6	59	2	3,567	70	1,508	30
1999	2,282	58	1,108	28	274	7	197	5	55	1	3,916	73	1,466	27

<sup>1</sup> Only founded incidents are included in the count.

<sup>2</sup> For a specific reason, the department decides not to lay a charge against the accused.

<sup>3</sup> Instructions (e.g., policy) from outside of department (e.g., Attorney General) instructing not to prosecute in specific circumstances.

<sup>4</sup> Includes case being cleared by alternative measures, suicide/death of accused or complainant or because accused is outside the country, less than 12, already sentenced or involved in other incidents.

**Source:** Incident-based Uniform Crime Reporting (UCR2) Survey, Trend database, CCJS, Statistics Canada, 1995-1999. Non-representative sample of 106 police forces representing 41% of the national volume of reported crime.

## Court data

The Adult Criminal Courts Survey (ACCS) provides information on charges and cases processed in adult criminal courts. Seven provinces and two territories currently report to the ACCS. These jurisdictions represent 80% of the adult provincial and territorial courts. Data from adult provincial and territorial courts are not comparable to police-reported data because of reporting/scoring differences and a variation from the time

in which an accused is charged by police until his/her case is heard in court. For more information on the *Adult Criminal Courts Survey*, please refer to the methodology section of this report or to Statistics Canada publication 85-002-XIE, volume 20, number 1 ("Adult Criminal Court Statistics, 1998/99").

According to the ACCS, in the fiscal year 1998/99, there were 4,039 cases involving 4,753 criminal harassment charges (Table 9) and 8,111 related charges processed in adult

Table 9

### Criminal harassment cases, number of convictions, and length of prison sentence, Canada<sup>1</sup>, 1998-99

Case type	Total Cases	Convictions <sup>2</sup>		Prison		Median (days)
		Number	%	Number	%	
<b>Criminal Harassment Cases (total)</b>	<b>4,039</b>	<b>2,129</b>	<b>53</b>	<b>748</b>	<b>35</b>	<b>90</b>
as a stand alone offence	1,087	389	36	84	22	60
with related charges	2,952	1,740	60	664	38	90
<b>Criminal harassment cases with:<sup>3</sup></b>						
a violent offence	1,026	654	64	276	42	90
a common assault	793	511	64	202	40	90
an uttering threats charge	1,271	758	60	282	37	90
a threatening/harassing phone calls charge	180	113	63	37	33	90
a probation violation	351	265	75	166	63	60
failure to comply with a court order (communicating)	555	402	72	207	51	60

<sup>1</sup> Coverage currently excludes New Brunswick, Manitoba and British Columbia.

<sup>2</sup> Excludes cases where the last available disposition is a change in the court level.

<sup>3</sup> Categories are not mutually exclusive.

**Source:** Adult Criminal Court Survey, CCJS, Statistics Canada, 1998-99.

provincial/territorial court.<sup>23</sup> The number of cases involving criminal harassment has increased 32% between 1994/95 and 1998/99. This increase comes at a time when overall case volumes are declining (11% since 1994/95), and the number of cases involving a violent offence, or common assault, specifically, have declined (6% and 14% respectively).

### Half of criminal harassment cases lead to conviction

In 1998/99, over half (53%) of the cases involving criminal harassment resulted in conviction.<sup>24</sup> The conviction rate for criminal harassment is consistent with the rates for common assault (54%), and all violent cases (53%). In slightly less than one-third of criminal harassment cases, the charges were stayed or withdrawn, compared to 38% of all violent cases.<sup>25</sup>

Serious criminal incidents, and incidents related to a pattern of criminal behaviours, such as criminal harassment, have a greater likelihood of having multiple charges laid by the police, and therefore a multiple-charge case in court. When the Crown is presented with multiple charges, it may choose to proceed with all the charges, or with the charge(s) with the strongest evidence. Almost three-quarters (73%) of criminal harassment cases had other related charges in 1998/99<sup>26</sup>, much higher than for all violent offences (49%) and for common assault (40%), and second only to impaired driving cases (75%).

Multiple-charge cases are predominantly more likely to result in a guilty disposition, while single charge cases are more likely to result in a stay or withdrawn decision. In 1998/99, criminal harassment cases with more than one charge had a much higher conviction rate (60%) than cases where criminal harassment was a stand-alone charge (36%). More than half (51%) of cases where criminal harassment was the only charge were stayed or withdrawn, compared to one-quarter of cases where criminal harassment was one of a number of charges in the case.

In cases where criminal harassment was the most serious charge, the proportion of convictions has increased over the five-year period (from 40% in 1994/95 to 46% in 1998/99), with a corresponding decrease in the proportion of cases stayed or withdrawn (from 46% to 41%).

### Majority of criminal harassment cases receive probation as the most serious sentence

Criminal harassment incidents include offences, such as uttering threats, that are serious in nature, but not necessarily violent. The courts, however, are imposing sentences consistent with those imposed in cases involving violence. Imprisonment was the most serious sentence in 35% of convicted criminal harassment cases. This is greater than the use of incarceration in common assault cases, where 29% percent of convicted cases were sentenced to prison, but less than the use of incarceration in all other violent offences (55% for violent offences excluding common assault) (Table 10).

In 1998/99, a term of probation was the most serious sentence in the majority of criminal harassment cases (56%), virtually the same as common assault (57%). Probation was the most serious sentence in almost half (47%) of all violent cases in

1998/99. No other offence had more than 50% of convicted cases sentenced to probation as the most serious sentence. The proportion of cases receiving probation as the most serious sentence has increased since 1994/95, while proportionately fewer prison sentences have been imposed.

### Prison sentences getting longer

The length of prison sentences in criminal harassment cases has been increasing in recent years. The median prison sentence length for criminal harassment cases in 1998/99 was 90 days, which is the same for convicted violent cases, and twice the median length of the sentence for cases involving common assault. The median length of prison in criminal harassment cases has increased since 1994/95, when it was 30 days.

In 1998/99, 81% of persons receiving a prison sentence in criminal harassment cases were sentenced to 6 months or less while 86% received that sentence in 1994/95. The change in the distribution of prison sentence lengths is also having an impact on the proportion of cases receiving the longest prison sentences. The proportion of offenders sentenced to a length of custody of 2 years or more has increased from 1% in 1994/95 to 3% in 1998/99.<sup>27</sup> In comparison, 3% of offenders convicted in violent cases received prison sentences of 2 years or more in 1998/99.

### Factors influencing prison sentence length

By nature, the crime of criminal harassment usually involves a number of related charges. According to police data, common assault, uttering threats and threatening/harassing telephone calls are common related crimes. The presence of related charges appears to be influencing the type and severity of sentences imposed in cases involving criminal harassment.

In 1998/99, more than one third of convicted criminal harassment cases with at least one of the common related offences were sentenced to prison. Convicted criminal harassment cases that were combined with common assault were sentenced to prison in 40% of the cases, uttering threats 37%, threatening phone calls 33%. The median length of prison for the most serious charge in these cases was 90 days, as compared to 60 days when criminal harassment was the only charge in the case (Table 9).

<sup>23</sup> A *Case* is one or more charges against an accused person or corporation, where the charges are disposed of in the same court on the same date. For this Juristat, a criminal harassment case is any case with at least one charge of criminal harassment.

<sup>24</sup> The calculation of conviction rates excludes cases where the last available disposition is a change in court level (i.e., Committed for Trial in Superior Court, and Re-election to Provincial Court). Dispositions of this type indicate an incomplete criminal trial process, where the guilt or innocence of the accused has not been determined.

<sup>25</sup> The disposition type 'Stay and Withdrawn' includes cases stayed, withdrawn, dismissed, and discharged at preliminary inquiry, and the number of cases in this category is a reflection of the charges being dropped by the Crown or thrown out by the court.

<sup>26</sup> The number of incidents related to charges is unknown but it is possible to have multiple incidents aggregated in one case. All incidents involving charges against a single accused have the possibility of belonging to the same case if the charges are disposed of in court on the same day.

<sup>27</sup> Only 1 case in 98/99, 2 cases in 97/98, 3 cases in 96/97, 5 cases in 95/96 and one case in 94/95 received the maximum penalty of 5 years.



Table 10

### Convicted cases sentenced to prison by length of sentence, Canada<sup>1</sup>, 1998-99

	Convicted Cases		Prison	
	Number	Number	%	Median (days)
<b>TOTAL OFFENCES</b>	<b>240,653</b>	<b>84,011</b>	<b>35</b>	<b>45</b>
<b>CRIMINAL CODE TOTAL</b>	<b>209,923</b>	<b>77,918</b>	<b>37</b>	<b>31</b>
<b>Crimes Against The Person</b>	<b>42,654</b>	<b>16,787</b>	<b>39</b>	<b>90</b>
Homicide and Related	148	122	82	2,190
Attempted Murder	75	55	73	1,080
Robbery	2,634	2,042	78	540
Sexual Assault	2,128	1,223	57	360
Kidnapping	99	66	67	270
Sexual Abuse	760	454	60	210
Major Assault	11,641	5,628	48	90
Abduction	43	16	37	30
Common Assault	25,126	7,181	29	45
<b>CRIMINAL HARASSMENT (Total cases)</b>	<b>2,129</b>	<b>748</b>	<b>35</b>	<b>90</b>
Criminal harassment as most serious offence	780	180	23	60
Cases where criminal harassment is a related offence <sup>2</sup>	1,349	568	42	90
<b>Crimes Against Property</b>	<b>63,580</b>	<b>26,098</b>	<b>41</b>	<b>60</b>
Arson	356	187	53	285
Break and Enter	9,880	6,175	63	180
Fraud	12,704	4,468	35	70
Possess Stolen Property	8,266	3,918	47	60
Theft	24,957	9,508	38	30
Property Damage/Mischief	7,417	1,842	25	30

<sup>1</sup> Coverage currently excludes New Brunswick, Manitoba and British Columbia.

<sup>2</sup> Cases where criminal harassment was not the most serious offence includes some cases with a violent offence as the most serious offence, and as such this portion of criminal harassment cases is not additive with other categories on this table.

Source: Adult Criminal Court Survey, CCJS, Statistics Canada, 1998-99.

The growing proportion of criminal harassment cases that include a crime of violence is also influencing sentencing. Cases that combined criminal harassment charges with violent offences had a conviction rate (64%) that was higher than most violent offences, and a higher proportion of persons sentenced to incarceration than common assault (i.e., 44% compared to 29%).

#### Probation sentences relatively long

Probation sentences for persons convicted of criminal harassment are longer than the probation sentences given in both common assault and total violent cases. In 1998/99, almost 20% of probation sentences for criminal harassment were longer than 24 months. In comparison, only 5% of those receiving probation in common assault cases and 8% in cases of violence received more than 24 months probation. The

median length of probation was 730 days for criminal harassment cases in 1998/99 as compared to a median of 365 days for both violent offences and common assault. There has been little change in the distribution of probation sentences over the five-year period.

#### Fines are rare

Fines are seldom issued in criminal harassment cases and are becoming less used in recent years. In 1994/95, fines were issued in 19% of convictions while only 11% of convictions led to a fine in 1998/99. Most fines issued over the five years (70 to 72%) were for \$300 or less.

## Restraining Orders

Restraining orders may be used by courts as preventive measures in incidents involving criminal harassment as an added protection for victims where there is not sufficient evidence to lay charges. In such cases, charges may be dropped in exchange for a peace bond or restraining order. The restraining order is meant to act as a deterrent to criminal harassment behaviours by reducing contact and communication between the accused and the victim. According to a 1997 amendment to the existing *Criminal Code*, a breach of a restraining order may be considered an aggravating factor in sentencing a person accused of criminal harassment.

For the purposes of this study, a breach of a restraining order has been grouped in one of two categories: breach of recognizance (Section 810/811) or failure to comply with a court order against communicating with another person (Section 145, subsection 3 or 5). While these data refer to cases with an associated restraining order or peace bond, there is no evidence to suggest that the restraining order was related to the actual criminal harassment incident. In addition, it is difficult to ascertain from the level of detail available whether the restraining orders were broken.

The proportion of criminal harassment cases with an associated restraining order or peace bond has increased from 14% in 1994/95 to 22% in 1998/99. The conviction rate in 1998/99 was slightly higher for those cases with a peace bond (55%) than for those without (52%). However, the incarceration rate was much higher (48%) for those cases with a peace bond than for those without (31%) (Table 11).

This information suggests that the criminal justice community is considering the restraining order an aggravating factor in sentencing in criminal harassment cases.

Table 11

### Criminal harassment cases with a related restraining order or peace bond, Canada<sup>1</sup>, 1994/95 and 1998/99

	Criminal Harassment Cases	Cases with a Related Peace Bond <sup>2</sup>		Conviction Rate (%)		Incarceration Rate (%)		Median Prison Length (days)	
		Number	Percent	Peace Bond	No Peace Bond	Peace Bond	No Peace Bond	Peace Bond	No Peace Bond
1994/95	3,066	440	14	63	43	52	35	30	45
1998/99	4,039	906	22	55	52	48	31	60	90

<sup>1</sup> Coverage currently excludes New Brunswick, Manitoba and British Columbia.

<sup>2</sup> Includes Section 145, subsections 3 & 5 (failure to comply with a court order against communicating), and Section 810 and 811 (breach of recognizance).

Source: Adult Criminal Court Survey, CCJS, Statistics Canada, 1994-95 and 1998-99.

## Summary

Criminal harassment remains a crime that is directed mainly towards women. While most other crimes have been declining in recent years, reports of criminal harassment incidents have been increasing. Of those incidents where an accused has been identified, the proportion resulting in a charge being laid has been decreasing.

At the court level, although criminal harassment does not necessarily involve violence, it is treated as severely as other violent crimes. The conviction rate and median sentence length is consistent with other crimes against the person while the median length of prison sentence for cases involving criminal harassment has increased considerably over the past five years.

## Methodology

### The Uniform Crime Reporting Survey (UCR)

The Uniform Crime Reporting (UCR) Survey is a survey that is completed by all police forces in Canada. Some forces are completing the original UCR Survey, which collects information about crime at an aggregate level. Other forces complete the more recent incident-based version of the survey (UCR2). The UCR2 survey is a micro-data survey that provides detailed information at the incident level including characteristics of the crime, the victim and the accused.

At the aggregate level, criminal harassment is grouped with other offences and cannot be isolated. Data on the offence of criminal harassment is only available from those police forces responding to the incident-based UCR2 survey. These police forces reporting to the UCR2 are mainly municipal forces, and as a result, the data are not nationally representative.



## Trend Database

The UCR2 trend database contains data from a subset of those police forces reporting to UCR2 and allows an analysis of trends in incidents. For inclusion in the trend database, the police force must have reported consistently to the UCR2 since 1995. Currently, five years of data exist in the trend database for 106 police forces, representing 41% of the national volume of reported crime.

The majority of incidents included in the trend database were reported to the UCR2 survey by Quebec (37%) and Ontario (34%). In addition, 13% were from Alberta, 8% from British Columbia, 6% from Saskatchewan and 1% from New Brunswick. Other than Quebec, the data are primarily from urban police departments. It should be noted that these data are not geographically representative at the national level.

## Analysis of the relationship variable

The UCR2 Survey collects information on the relationship of the accused to the victim. This information is collected on the victim record. In incidents involving multiple accused, police score the form based on the accused who perpetrated the most serious violation against the victim. When the most serious violation is perpetrated by more than one accused, the accused with the closest relationship to the victim is recorded. Therefore, it is difficult to determine which accused on the victim file has the closest relationship to the victim. As a result, incidents involving more than one accused or no accused were removed from the analysis. Incidents with one accused and one or more victims were included in the analysis of victim/accused relationship.

When incidents involving multiple accused were removed from 1999 data, 3,635 incidents remained, involving 4,021 victims. Incidents involving two or more victims would result in multiple counting in the analysis of the accused and incident variables. For instance, if a woman and her child were stalked by the woman's ex-husband, the analysis of the accused and incident variables would occur under the relationship categories "ex-husband" and "other family".

Previous research has shown that, in a high percentage of stalking incidents, the accused and victim are currently in, or have previously been in, an intimate relationship. While the relationship variable does identify spouse and ex-spouse

relationships, it does not provide information on other intimate relationships such as between current or ex-girlfriends and current or ex-boyfriends. These types of intimate relationships are classified as "close friends" in the database. For the purposes of this study, close friend relationships involving victims and accused of the opposite sex were reclassified as "current or ex-girlfriend" and "current or ex-boyfriend". "Close friends" of the same sex were categorized under "other".

## Adult Criminal Courts Survey (ACCS)

The Adult Criminal Courts Survey (ACCS) provides a national database of statistical information on the processing of cases through the adult criminal court system. The survey consists of a census of Criminal Code and other federal statute charges dealt with in provincial/territorial adult criminal courts.

## Coverage

The survey is not representative of the total court caseload. In 1999, adult criminal courts in seven provinces and two territories and the Superior Court in Alberta were reporting to the ACCS. The provinces of New Brunswick, British Columbia and Manitoba are currently not reporting to the ACCS. Information from Quebec's 140 municipal courts (which account for approximately 20% of federal statute charges in that province) are not yet collected. Finally, with the exception of Alberta, no data are provided from the superior courts.

## Most serious offence

When a case has more than one charge, it is necessary to decide which charge will be used to represent the case (since a case is identified by a single charge). In such multiple charge cases, the "most serious disposition" rule is applied. Dispositions are ranked from the most to the least serious as follows: 1) guilty, 2) guilty of a lesser offence, 3) committed for trial in a superior court, 4) other dispositions were imposed, 5) stay of proceeding, 6) acquitted, withdrawn, dismissed.

For the purposes of the Courts section of this report, criminal harassment cases are not limited only to those with criminal harassment as the most serious offence, but refer to all cases involving a charge of criminal harassment.

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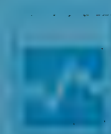
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Government

## PUBLIC ATTITUDES TOWARD THE CRIMINAL JUSTICE SYSTEM

by Jennifer Tufts

### HIGHLIGHTS

- According to the 1999 General Social Survey (GSS), the majority of Canadians believe their local police are doing a good job. Their views of the criminal courts, prison and parole systems are less favourable.
- Public satisfaction with the police has improved slightly since 1993, when the survey was last conducted. In 1999, satisfaction with police was back up to about the same level as it was for the 1988 survey. In general, the levels of satisfaction toward the criminal courts, although low, have improved slightly since 1993. The highest levels of satisfaction with the courts were reported in 1988.
- Rural residents, women, people aged 65 or over, those with less than a high school education, people with no recent victimization experience, and persons satisfied with their overall personal safety are among those who are more likely to have positive assessments of the police.
- When rating the criminal courts, prison and parole systems, men, young people aged 15 to 24, those with less than a high school education, and those who were satisfied with their overall safety are consistently more likely to have positive attitudes.
- In most cases, people who have come into contact with the police (as a victim or perpetrator) or the criminal courts have less positive attitudes toward them.
- Results of hypothetical crime-scenario questions on the 1999 GSS indicate that Canadians support the use of community-based sanctions (e.g., probation, fines, and community work) in certain situations. In particular, non-prison based sanctions are preferred for first-time offenders convicted of either a break and enter or a minor assault. For repeat offenders, non-prison is preferred for young offenders, but prison is preferred for adult offenders.
- Men and women differ in their attitudes toward sentencing adult offenders. For example, men are more likely than women to prefer a prison sentence for an adult offender convicted of a repeat break and enter. Women are more likely to prefer a prison sentence in a case involving an adult offender convicted of a minor assault. Alternatively, men and women have similar attitudes toward sentencing young offenders, whereby both men and women are equally likely to prefer a prison sentence in most cases involving young offenders.
- In most cases, support for prison-based sanctions is highest among those who are young (aged 15 to 24), those who have less than a high school education, those who have recently experienced some form of victimization, and those who are dissatisfied with their overall personal safety from crime.





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## Introduction

Governments, academics, political groups, and journalists often measure public attitudes toward the criminal justice system, crime and offenders in an attempt to discover how members of the public perceive crime and various justice issues. It is important to examine public attitudes because they have the ability to influence the development of social policy.

This *Juristat* will examine public attitudes toward the criminal justice system. In particular, it will show how Canadians rate the local police, criminal courts, prison and parole systems, and it will identify some of the factors which may influence a person's attitudes including their sex, age, level of education, satisfaction with personal safety, and victimization experience. In addition, public attitudes toward sentencing will be examined. Both situational factors (e.g., the offender's age and criminal history) and respondent characteristics (e.g., their sex, age, level of education, satisfaction with personal safety, and victimization experience) will be analyzed in order to determine what impact they may have in shaping attitudes.

Data for the report come from Statistics Canada's 1999 General Social Survey (GSS). This survey collected information on the nature and extent of criminal victimization in Canada. Information was also collected on the impact and consequences of crime to the victim, frequency of, and reasons for, reporting to the police, and the use of social services. Similar surveys on victimization were conducted in 1993 and 1988. For the 1999 survey, households in the 10 provinces were selected and an individual 15 years or older was randomly selected to respond to the survey. About 26,000 people were interviewed. Results are representative of the Canadian population 15 years and older living in the 10 provinces (see Methodology section and Box 1 for more details).

In addition to this *Juristat*, there are other recent and forthcoming publications which present results from the 1999 GSS. In particular, an overview of the findings of the 1999 survey is provided in the *Juristat* entitled "Criminal Victimization in Canada,

### Box 1 Interpreting the 1999 General Social Survey (GSS) Data

The data presented in this *Juristat* are estimates of a given proportion of the total population based on information collected from a sample of the population. As a result, somewhat different results might have been obtained if the whole population had been surveyed. The difference between the estimate obtained from a sample of the population and the one that would have resulted had a complete census been taken is called the sampling error of the estimate. The sample size and sampling technique for a survey are chosen to minimize this error.

One measure of the sampling error is the coefficient of variation (CV). The CV gives an indication of the uncertainty associated with an estimate. For example, if an estimate is 1,000 persons aged 15 years or older in the 10 provinces with a CV of 4%, the true value likely lies between 960 and 1,040 (i.e.  $1,000 \pm 4\%$ ). Any estimate with a CV of more than 33.3% is considered unreliable and is not published. When the CV of the estimate is between 16.6% and 33.3%, the symbol "+" is used. These estimates should be used with caution.

Estimates based on smaller sample sizes will have larger sampling errors. Thus provincial estimates will usually have larger sampling errors than estimates for Canada as a whole. As well, the sampling error for estimates of the same measure (e.g., rating the police on doing a good job) will likely be smaller in 1999 than in 1993 because of the larger sample size in 1999.

A second kind of error that occurs in both census and sample surveys is called non-sampling error. This includes errors due to coverage (e.g., the GSS had to exclude households without telephones even though the target population was all households), processing (e.g., errors introduced while capturing and processing the GSS results) and non-response (the chosen respondent does not answer some or all of the questions). These errors are difficult to quantify. However, considerable effort was made to minimize non-sampling error for the GSS.



2000"<sup>1</sup> and data on the issues of spousal abuse and abuse of older adults are presented in the report "Family Violence in Canada: A Statistical Profile 2000".<sup>2</sup> An upcoming special report, to be released early next year, will provide a more detailed analysis of the survey results.

## Attitudes Toward Criminal Justice Agencies

Through academic research and polling results, it has been found that Canadians are confident in the police, but are generally dissatisfied with other sectors of the criminal justice system.<sup>3</sup> For example, a recent Environics poll found that Canadians have more confidence in the RCMP and local police than in the courts, lawyers, judges, and parole boards.<sup>4</sup>

The 1999 General Social Survey (GSS) examined public attitudes toward four sectors of the justice system: the police, the criminal courts, the prison and parole systems. The findings are consistent with previous research.

### Box 2 Sources of Public Information about Criminal Justice Issues

Crime is always in the news. This has implications for the criminal justice system, and its processes, as it has been suggested that the media help shape the attitudes and perceptions of the public.<sup>5</sup> For most people, knowledge about various things for which they have no experience comes from the media. Several studies have been conducted to determine just how many people depend on the media as their source of knowledge. Findings indicate that there are many people who consider newspapers, television, and other media their main source of education for information about crime, offenders, and the criminal justice system.<sup>6</sup>

For example, in 1995, a study of public opinion regarding criminal justice was conducted in Prince Edward Island. During the month of March, a total of 267 telephone interviews were carried out with a random sample of residents, 18 years of age or older. The 1995 *Criminal Justice Survey* assessed attitudes and perceptions regarding important crime and justice topics and collected information on the sources of public information about criminal justice issues.<sup>7</sup>

The P.E.I. survey found that 5 out of 6 respondents closely followed crime-related issues and stories in the media. Respondents reported that newspapers (71% of respondents) and television (68% of respondents) were their most important sources of information about crime and justice issues. Less frequently reported sources of information included the radio (16%), magazines (5%), and family/friends (1%).

### The majority of Canadians rate their local police positively

Canadians are quite satisfied with, and generally hold positive attitudes toward, their local police. In 1999, when asked to rate their local police on five measures of performance, the majority of Canadians expressed the belief that the police were doing a good job at being approachable (66%), ensuring

the safety of citizens (62%), enforcing the laws (60%), and supplying information on reducing crime (54%). Just under half (49%) of the population thought that the police were doing a good job at responding promptly to calls (see Table 1). Small proportions (between 4% and 9%) of the population felt that the police were doing a poor job. As well, between 5% and 23% of Canadians were uncertain about how they should assess the performance of the police<sup>8</sup> on each of these aspects. The highest level of uncertainty was reported for rating the police on responding promptly to calls (23% of the population).

#### "Positive Attitudes"

The 1999 GSS asked respondents to rate the performance of their local police, the criminal courts, prison and parole systems on the scale of good job, average job, or poor job. In this *Juristat* the term "positive attitudes" and "good job" are used interchangeably.

Public satisfaction with the police has improved slightly since 1993. For example, in 1999, 62% of Canadians felt the police were doing a good job at ensuring the safety of citizens, compared to a figure of 58% in 1993 (see Table 1). In general in 1999, satisfaction with police was about the same as it was in 1988.

### Courts not rated as favourably as the police

Canadians' views of the courts are not as favourable as their views of the police. In particular, in 1999, less than one-quarter of the population felt the criminal courts were doing a good job of determining whether or not the accused is guilty (21%), helping the victim (15%), and providing justice quickly (13%, see Table 1). Canadians were most likely to rate the courts positively at ensuring a fair trial for the accused (41%). When compared to assessments of police performance, more people felt that the courts were doing a poor job. Between 11% and 17% of Canadians did not have an opinion concerning the performance of the criminal courts (see Table 1).

In general, the levels of satisfaction, although low, have improved slightly since 1993. However, the level of satisfaction relating to ensuring a fair trial for the accused has decreased somewhat since 1993, when 46% of Canadians felt that the courts did a good job with this aspect of court activity (see Table 1). Overall, the highest levels of satisfaction regarding the criminal courts were reported in 1988.

<sup>1</sup> See *Statistics Canada Catalogue no. 85-002-XPE Vol.20 No.10*.

<sup>2</sup> See *Statistics Canada Catalogue no. 85-224-XIE*.

<sup>3</sup> See Doob and Roberts (1982) and Roberts and Stalans (1997)

<sup>4</sup> See Environics Research Group (1998)

<sup>5</sup> See DeKeseredy and Schwartz (1996) and Surette (1998)

<sup>6</sup> See Ericson, Baranek and Chan (1991) and Roberts (1992)

<sup>7</sup> See Bradford (1995)

<sup>8</sup> The analysis in the *Juristat* is based on the responses from all survey respondents and therefore considers the respondents who gave an answer of "don't know/not stated". This was done in order to acknowledge the importance of those who had no response since this information is an important element in data regarding public opinion.



## The prison and parole systems are also rated much less positively than local police

Similar to attitudes toward the courts, Canadians do not rate the prison and parole systems as positively as they do the police. In 1999, over one-quarter (26%) of the population felt that the prison system was doing a good job at supervising and controlling prisoners, while 14% felt that it was doing a good job at helping prisoners become law-abiding citizens. Approximately 1 in 3 Canadians (28%) were of the opinion that the prison system was doing a poor job at helping prisoners become law-abiding citizens (see Table 2). This number reduces to 20% when asked about supervising and controlling prisoners.

As for the parole system, 15% of Canadians were of the belief that it was doing a good job at releasing offenders who are not likely to re-offend, and 13% believed that it was doing a good job at supervising offenders on parole. Approximately 30% of Canadians were of the opinion that the parole system was doing a poor job. In comparison to responses for performance of the police and the courts, more people (about 20% of the population) were uncertain about how to assess the performance of the prison system or the parole system.

Items assessing public attitudes toward the prison and parole systems were new to the GSS in 1999, so it is not possible to assess if attitudes have changed over time.

## Westerners less satisfied with the justice system

Attitudes toward the police vary considerably across provinces, however it appears that residents in the four Western<sup>9</sup> provinces are less satisfied with the police, when compared to residents in the other provinces. For example, when rating the police on ensuring the safety of citizens, between 52% and 61% of the residents in the Western provinces rated the police as doing a good job. In comparison, between 64% and 73% of those living in the Atlantic<sup>10</sup> provinces did the same (see Table 3). This is not surprising since, in 1999, victimization rates for household offences were higher in the provinces west of the Ontario-Manitoba border and rates for personal offences were the highest in British Columbia and Alberta.<sup>11</sup> In most instances, at least one-half of Canadians, regardless of their province of residence, felt that the police were doing a good job.

Similar results were found when asking Canadians about their attitudes toward the criminal courts, prison and parole systems. In particular, residents in the Atlantic provinces were most likely, and residents in the Western provinces were least likely, to express the belief that the courts, prison and parole systems are doing a good job. For example in 1999, higher proportions of Canadians in the Atlantic provinces (between 28% and 37%) than in the Western provinces (between 21% and 25%) felt the prison system was doing a good job at supervising and controlling prisoners (see Table 3).

## Urban residents are generally less satisfied with the police

Rural residents were more likely than those living in urban areas to rate the police positively at being approachable (71%

versus 65%), supplying information on reducing crime (57% versus 53%), and ensuring the safety of citizens (66% versus 62%). For each of the other aspects of police performance, rural residents did not differ in their assessments of the police, when compared to those living in urban areas.

Similarly, rural residents were more likely than urban residents to feel the prison system was doing a good job at supervising and controlling prisoners (29% versus 26%) and helping prisoners become law-abiding citizens (16% versus 14%). In contrast, rural area residents were no more likely than urban area residents to hold positive attitudes toward the criminal courts and the parole system.

## Factors Associated with Attitudes Toward the Criminal Justice System

The nature of public reaction and assessment, and thus public attitudes toward the criminal justice system, is complex. The social attitudes pertaining to criminal justice processes are linked to both personal characteristics and other beliefs regarding the nature of crime and the operation of the criminal justice system. For instance, the level of public satisfaction is often related to a variety of factors including, the respondent's sex, age, level of education, previous contact with the criminal justice system, history of victimization, and satisfaction with personal safety.<sup>12</sup>

## Overall, men have slightly more positive attitudes toward the criminal justice system

While women are generally more likely than men to have positive attitudes toward the police, men are slightly more likely to have positive attitudes toward other sectors of the criminal justice system. In 1999, women were somewhat more likely than men to rate the police positively at enforcing the laws (62% versus 59% respectively), supplying information on reducing crime (56% versus 52%), and responding promptly to calls (50% versus 48%). Alternatively, women and men gave similar ratings for each of the other aspects of police performance.

In contrast, men are generally more likely than women to hold positive attitudes toward the criminal courts (see Figure 1). In 1999, with the exception of helping the victim, slightly higher proportions of men than women gave a positive rating.

Men also rated the prison and parole systems somewhat higher than did women. In 1999, with the exception of rating the prison system at helping prisoners become law-abiding citizens, slightly higher proportions of men than women gave positive ratings for each of the other aspects of both prison and parole system performance.

<sup>9</sup> Western provinces include British Columbia, Alberta, Saskatchewan, and Manitoba.

<sup>10</sup> Atlantic provinces include Newfoundland, Prince Edward Island, Nova Scotia, and New Brunswick.

<sup>11</sup> For more information see Statistics Canada Catalogue no. 85-002-XPE Vol.20 No.10.

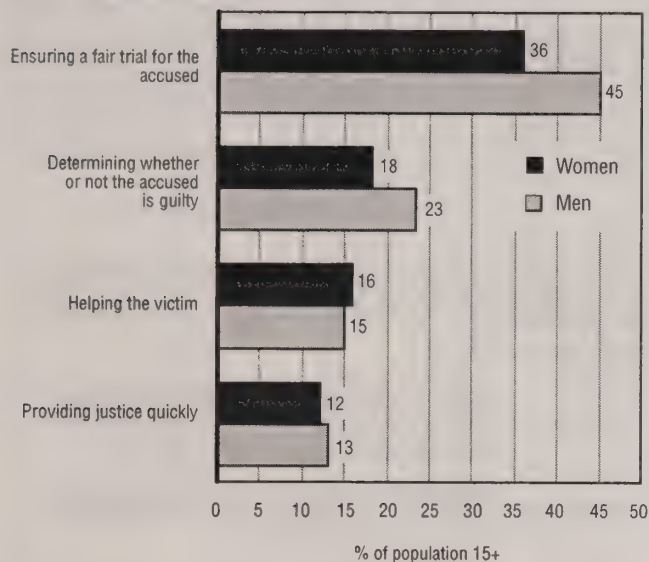
<sup>12</sup> See among others Flanagan, McGarrell and Brown (1985) and Sprott and Doob (1997)



Figure 1

### Men generally rate the courts more positively<sup>1</sup>

#### Courts doing a good job at:



<sup>1</sup> Based on the proportion who believe the criminal courts are doing a "good" job.

Source: Statistics Canada, General Social Survey, 1999.

### Older Canadians satisfied with the police, younger Canadians satisfied with the other sectors of the criminal justice system

Overall, satisfaction with the police appears to increase with age. In 1999, for example, 7 in 10 Canadians aged 65 years and older rated the police positively on enforcing the laws, compared with 63% of those aged 45 to 64, 57% for those aged 25 to 44 and 56% of those 15 to 24 years of age (see Table 4). This could be related to the fact that older people aged 65 and over reported the lowest rate of personal victimization in 1999.<sup>13</sup>

In contrast, younger Canadians, primarily those 15 to 24 years of age, are more likely to be satisfied with the criminal courts. In 1999, with the exception of ensuring a fair trial for the accused, Canadians 15 to 24 years of age were most likely to feel that the criminal courts are doing a good job (see Table 4).

Similarly, Canadians between the ages of 15 and 24 years of age were most likely to feel that the prison and parole systems were doing a good job. For example, in 1999, one-quarter of those aged 15 to 24 expressed the belief that the parole system was doing a good job at releasing offenders who are not likely to re-offend. In comparison, 14% of Canadians aged 25 to 44, 14% of those aged 45 to 64 and 9% of those 65 years or older felt the parole system was doing a good job (see Table 4).

### Canadians with less than a high school education have more positive attitudes toward the criminal justice system

In general, Canadians who have lower levels of formal education have more positive attitudes toward the police. For example, in 1999, Canadians with less than a high school education were most likely (67%), and those with a university degree were least likely (60%), to rate the police as doing a good job at ensuring the safety of citizens (see Table 5).

There is also variation in the distribution of positive attitudes toward the courts across levels of education. In 1999, similar to attitudes toward the police, those with less than a high school education were more likely to feel that the criminal courts were doing a good job at providing justice quickly (19%) and helping the victim (23%, see Table 5). In contrast, Canadians having a university degree were more likely to believe that the courts were doing a good job at determining whether or not the accused is guilty (24%) and ensuring a fair trial for the accused (48%).

Positive attitudes toward the prison and parole systems were more often reported by Canadians with less than a high school education, when compared to those with a high school diploma, some post-secondary education or a college diploma, or a university degree (see Table 5).

Other personal characteristics such as the level of income, marital status, and main activity<sup>14</sup> of the respondents did not seem to have an impact on their attitudes toward the criminal justice system, once the effects due to age were removed.

### Contact with the justice system<sup>15</sup> influences attitudes

In general, Canadians who came into contact with the police in the 12 months preceding the survey were less likely to feel that the police were doing a good job. However, ratings of the police varied depending upon the nature of police contact (see Table 6). In particular, those who came into contact with the police for a traffic violation, as a victim of crime, as a witness to a crime, or for being arrested, rated the police lower than those with no such contact. However, those who came into contact with the police for a public information session rated the police higher than those with no such contact. This was true for all five aspects of police performance.

Similarly, contact with the criminal courts<sup>16</sup> has an influence on attitudes toward them (see Figure 2). For instance, those

<sup>13</sup> For more information see Statistics Canada Catalogue no. 85-002-XPE Vol. 20 No. 10.

<sup>14</sup> The 1999 GSS asked respondents to identify their main activity during the previous 12 months. Categories included: working at a paid job or business, looking for paid work, going to school, caring for children, doing household work, and being retired.

<sup>15</sup> Previous cycles of the GSS in 1988 and 1993 asked about contact with the police. New to the 1999 GSS is a question on contact with the criminal courts. The survey has never included questions regarding contact with the prison or parole systems.

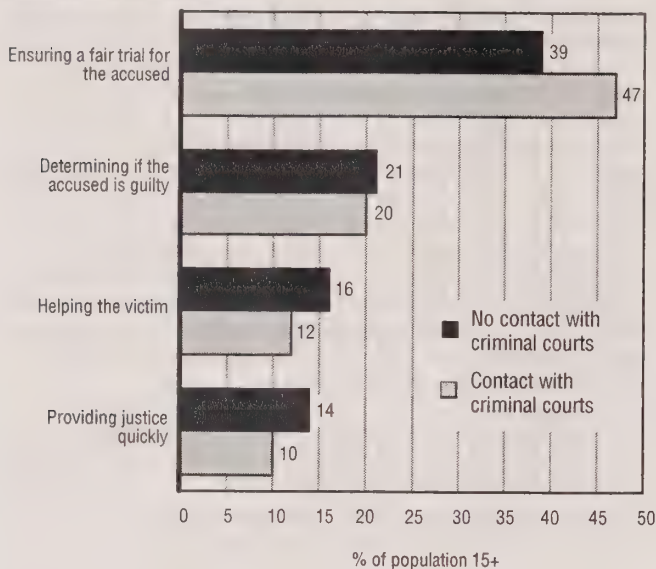
<sup>16</sup> Unlike contact with police, respondents were asked if they had "ever" had contact with the criminal courts.



Figure 2

### Contact with criminal courts influences attitudes<sup>1</sup>

#### Courts doing a good job at:



<sup>1</sup> Based on the proportion who believe the criminal courts are doing a "good" job.  
Source: Statistics Canada, General Social Survey, 1999.

who had contact with the criminal courts were less likely than those with no such contact to feel that the courts were doing a good job at providing justice quickly (10% versus 14%) and helping the victim (12% versus 16%). However, those who had contact with the courts were more likely than those with no such contact to feel that the courts were doing a good job at ensuring a fair trial for the accused (47% versus 39%). Contact with the courts had little impact on rating the courts at determining whether or not the accused is guilty (20% versus 21%).

Victims, and in particular, victims of violence in the 12 months preceding the survey, were less likely than non-victims to have positive attitudes toward the police. In 1999, the largest differences could be seen in the ratings on enforcing the laws. Almost two-thirds (64%) of non-victims gave the police a positive assessment, while the proportions for victims of non-violent crimes (53%) and violent crimes (48%) were much lower (see Table 7). Levels of satisfaction with the police were lower for people who reported a higher number of victimizations. This was true for each of the aspects of police performance.

In general, on all other sectors of the justice system, there are only slight differences in the levels of satisfaction between victims and non-victims. The number of victimizations reported by Canadians had only a slight impact on performance ratings of criminal courts, while the frequency of victimization in the 12-month period before the survey had no discernible effect on attitudes toward the prison and parole systems.

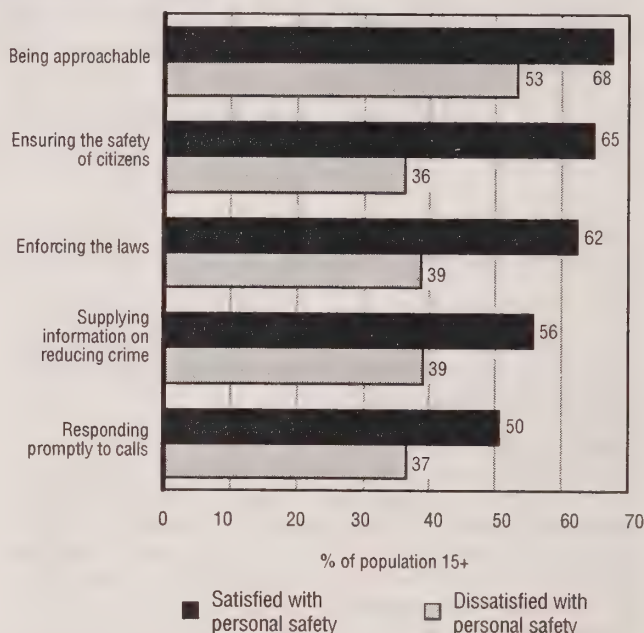
### Confidence in the criminal justice system is lower for those who are dissatisfied with their personal safety from crime

Canadians who were more satisfied with their overall personal safety from crime<sup>17</sup> were much more likely than those who were dissatisfied to rate the police positively on each of the aspects of police performance. The largest difference could be seen in the ratings on ensuring the safety of citizens, where 65% of Canadians who were satisfied with their personal safety thought the police were doing a good job, compared to 36% of those who were dissatisfied with their safety (see Figure 3).

Figure 3

### Canadians satisfied with their safety have more positive attitudes toward the police<sup>1,2</sup>

#### Police doing a good job at:



<sup>1</sup> Based on the proportion who believe the police are doing a "good" job.

<sup>2</sup> Respondents were asked to provide an overall rating of their feelings of satisfaction with their personal safety from crime. For analysis purposes, the responses have been combined into two categories "Satisfied" and "Dissatisfied".

Source: Statistics Canada, General Social Survey, 1999.

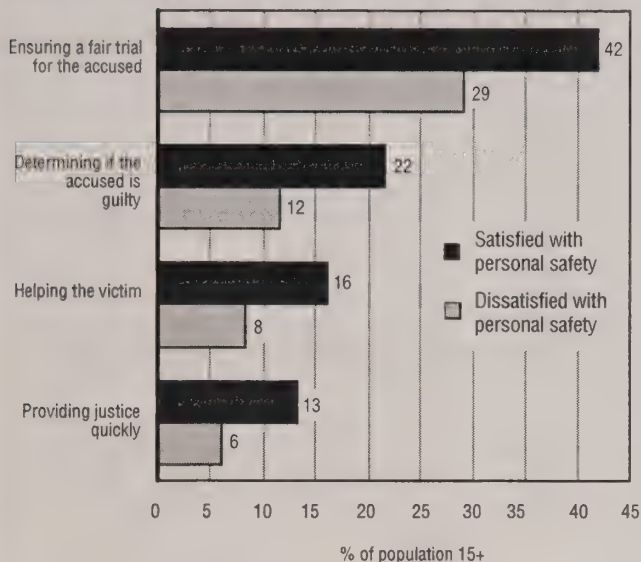
Similar to the findings related to public attitudes toward the police, Canadians who were satisfied with their personal safety from crime were more likely than those who expressed concern for their personal safety to have positive attitudes toward the criminal courts. For example, Canadians who were satisfied with their personal safety from crime were much more likely than those who were dissatisfied to rate the courts positively at determining if the accused is guilty, 22% versus 12% respectively (see Figure 4).

<sup>17</sup> Respondents to the 1999 GSS were asked to provide an overall rating of their feelings of satisfaction with their personal safety from crime. For analysis purposes, the responses have been combined into two categories: "Satisfied" and "Dissatisfied".

Figure 4

### People satisfied with their safety have more positive attitudes toward the courts<sup>1,2</sup>

Courts doing a good job at:



<sup>1</sup> Based on the proportion who believe the criminal courts are doing a "good" job.

<sup>2</sup> Respondents were asked to provide an overall rating of their feelings of satisfaction with their personal safety from crime. For analysis purposes, the responses have been combined into two categories "Satisfied" and "Dissatisfied".

Source: Statistics Canada, General Social Survey, 1999.

As well, attitudes toward the prison and parole systems vary according to Canadians' level of satisfaction with their personal safety from crime. In particular, in 1999 those who were satisfied with their overall safety were consistently more likely than those who were dissatisfied to have positive attitudes toward both the prison and parole systems (see Figure 5).

## Attitudes Toward Sentencing

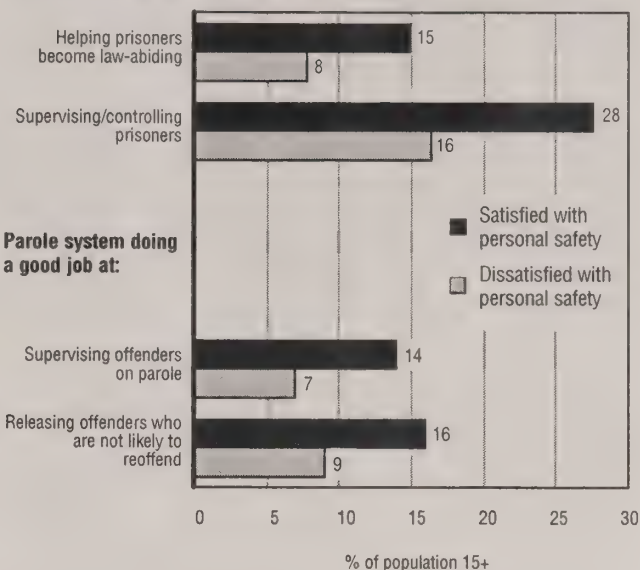
Sentencing is one component of the criminal justice system that consistently attracts public criticism and concern. As indicated earlier, members of the public generally are not satisfied with the job being done by the criminal courts. These findings have emerged from Canadian public opinion polls for decades<sup>18</sup> and are also reflected in surveys conducted in other countries<sup>19</sup> (see Box 6). However, research conducted in the area of public opinion has revealed that when respondents are given more information about a specific case they are more likely to recommend sentences that are no harsher than those imposed by judges.<sup>20</sup>

For the first time in 1999, the GSS sought to examine public attitudes toward sentencing in Canada. In particular, the public's sentencing preferences for criminal offenders were investigated through the use of scenario-type queries. Respondents were presented with a hypothetical case for which they were asked to choose "prison" or "non-prison" for their sentencing preference (see Box 3). The purpose of the

Figure 5

### People satisfied with their safety have more positive attitudes toward the prison and parole systems<sup>1,2</sup>

Prison system doing a good job at:



<sup>1</sup> Based on the proportion who believe the criminal courts are doing a "good" job.

<sup>2</sup> Respondents were asked to provide an overall rating of their feelings of satisfaction with their personal safety from crime. For analysis purposes, the responses have been combined into two categories "Satisfied" and "Dissatisfied".

Source: Statistics Canada, General Social Survey, 1999.

questions was to assess public attitudes toward the use of prison sentences and alternatives to incarceration.

## Public Support for Prison and Alternatives to Prison

Canadians support the use of community-based<sup>21</sup> sanctions in certain situations. In particular, community-based sanctions are preferred for first-time offenders whether they are convicted of either a property offence (break and enter) or a violent offence (minor assault). For repeat offenders,<sup>22</sup> non-prison is preferred for young offenders, but prison is preferred for adult offenders (see Table 8). Between 7% and 9% of the population did not have a particular sentencing preference (prison or non-prison) when sentencing offenders (see Table 8).<sup>23</sup>

<sup>18</sup> See Doob and Roberts (1983), Canadian Sentencing Commission (1987), Roberts (1988), Roberts and Stalans (1997), and Angus Reid (1997)

<sup>19</sup> See Walker and Hough (1988)

<sup>20</sup> See Doob and Roberts (1984), and Canadian Sentencing Commission (1987).

<sup>21</sup> Community-based sanctions include non-prison-based sanctions such as probation, fines, and community work.

<sup>22</sup> The crime scenario questions included on the 1999 GSS that asked about repeat offenders were intended to capture information on the sentencing preferences of the public for those offenders who have been convicted of one previous offence.

<sup>23</sup> Readers are reminded that the analysis in the Juristat is based on the responses from all survey respondents and therefore considers the respondents who gave an answer of "don't know/not stated". This was done in order to acknowledge the importance of those who had no response since this information is an important element in data regarding public opinion.



### Box 3 Assessing Attitudes Toward Sentencing

The 1999 General Social Survey (GSS) measured public attitudes toward sentencing through the use of the specific case-scenario method of questioning. Through the hypothetical situations presented to respondents, it was possible to examine three facets of sentencing: attitudes regarding an adult versus a young offender, attitudes toward a first-time versus a repeat offender, and attitudes when the offence is a violent offence (minor assault) versus a property offence (break and enter).

GSS respondents were randomly asked one of four crime-scenarios for which they were asked to choose "prison sentence" or "non-prison sentence" for their sentencing preference. For any given scenario, respondents were asked about their attitudes toward sentencing both an adult and a young offender. In order to eliminate order effects, half of the respondents were asked about sentencing an adult offender prior to being asked about sentencing a young offender, while the other half were asked about sentencing a young offender prior to being asked about sentencing an adult offender.

Respondents who selected prison sentences for the hypothetical crime scenarios were given a follow-up question that asked them whether or not it would be acceptable for a judge to sentence the offender to one year of probation and 200 hours of community work.

One of the following hypothetical situations was presented to each survey respondent:

A.

If an adult offender is found guilty of breaking into a house when the owners are on vacation and taking goods worth \$400 and this is the offender's first offence, which sentence would you consider the most appropriate, a ...

If a young offender is found guilty of breaking into a house when the owners are on vacation and taking goods worth \$400 and this is the offender's first offence, which sentence would you consider the most appropriate, a ...

B.

If an adult (young) offender is found guilty for the first time of an assault and the victim received minor injuries but did not require medical attention, which sentence would you consider the most appropriate, a ...

C.

If an adult (young) offender is found guilty of breaking into a house when the owners are on vacation and taking goods worth \$400 and the offender was found guilty of a similar offence once before, which sentence would you consider the most appropriate, a ...

D.

If an adult (young) offender is found guilty of an assault and the victim received minor injuries but did not require medical attention and the offender was found guilty of a similar offence once before, which sentence would you consider the most appropriate, a ...

### Prison favoured more often for adult offenders

When presented with the same scenarios, more Canadians favour a prison sentence for adult offenders, in comparison to youth offenders. For example, in 1999 over two-thirds (68%) of Canadians chose a prison sentence for an adult offender convicted of a repeat break and enter, while less than one-half (44%) of the population preferred prison for a young offender convicted of the same offence (see Table 8).

### Prison often chosen for repeat offenders

Canadians believe that offenders who have criminal records ought to receive prison-based sanctions. In 1999, a larger proportion of the population selected prison for repeat offenders, in comparison to first-time offenders. For example, 63% of Canadians are supportive of imprisonment for an adult offender convicted of a repeat assault, while 28% of the population supported prison when the conviction is for a first-time assault. Similar results were observed when comparing first-time and repeat young offenders. However, the figures reported for young offenders never reach those for adult offenders (see Table 8).

### Prison selected more frequently for break and enter offences with an adult offender

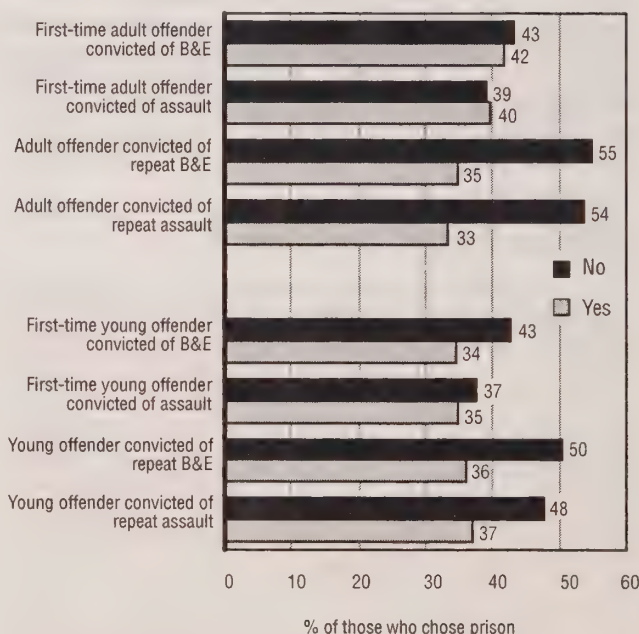
The nature of the offence seems to have an impact on public attitudes toward sentencing adult offenders. In 1999, for cases involving an adult offender, a prison sentence was favoured more often for break and enter offences, when compared to minor assault. For example, a first-time adult offender convicted of a break and enter attracted a more punitive response, in comparison to a minor assault involving a first-time adult offender (37% and 28% respectively).

In contrast, the nature of the offence had very little influence on public attitudes toward sentencing young offenders. For instance, when sentencing a young offender convicted of a

Figure 6

**At least one-third of prison supporters accept an alternative to incarceration<sup>1,2</sup>**

#### Scenario



<sup>1</sup> Respondents who selected prison sentences for the hypothetical crime scenarios were given a follow-up question that asked them whether or not it would be acceptable for a judge to sentence the offender to one year of probation and 200 hours of community work.

<sup>2</sup> Between 10% and 28% of Canadians who chose prison were uncertain about whether one year of probation and 200 hours of community work was an acceptable alternative to incarceration.

Source: Statistics Canada, General Social Survey, 1999.



repeat offence, 44% of Canadians advocated a prison sentence regardless of whether the offence was a break and enter or a minor assault (see Table 8). With the exception of first-time young offenders, similar results were found in the other cases involving young offenders.

#### **At least one-third of prison supporters accept an alternative to incarceration**

As another measure of public attitudes toward alternatives to incarceration, GSS respondents who selected prison sentences were given a follow-up question that asked them whether or not it would be acceptable for a judge to sentence the offender to one year of probation and 200 hours of community work instead of prison.

In 1999, at least one-third of Canadians who selected prison expressed the belief that one year of probation and 200 hours of community work was an acceptable alternative to incarceration in cases involving both adult and young offenders (see Figure 6). Alternatively, the highest level of opposition to an alternative

sanction was found in cases involving both adult and young repeat offenders. For example, in 1999, the majority (54%) of Canadians who initially selected prison for an adult offender convicted of repeat assault felt that one year of probation and 200 hours of community work was not an acceptable alternative to incarceration for this case. Similar results were found in each of the other cases involving repeat offenders.

#### **Westerners no more likely than Atlantic Canadians to select prison sentences**

Public attitudes toward sentencing vary across the provinces. It appears that in 1999, unlike the results found when examining attitudes toward the criminal justice system, residents of the Western<sup>24</sup> provinces were no more likely than those in the Atlantic<sup>25</sup> provinces to strongly support the use of imprisonment for criminal offenders.

<sup>24</sup> Readers are reminded that Western provinces include British Columbia, Alberta, Saskatchewan, and Manitoba.

<sup>25</sup> Readers are reminded that Atlantic provinces include Newfoundland, Prince Edward Island, Nova Scotia and New Brunswick.

#### **Box 4 Mediation: Are Victims Interested?**

With the increased availability of options like police discretion, alternative measures and various restorative approaches (i.e., family group conferencing, sentencing circles) to intervention, there are a number of ways to deal with a criminal offence outside the normal traditional police-court process. Victim-offender mediation is a non-traditional approach to criminal justice, which aims to address the needs of both offenders and victims. Generally, it involves a formal meeting where the victim and the offender meet face-to-face, with a skilled mediator in attendance, to discuss an appropriate way to deal with the offender.

The 1999 General Social Survey (GSS) measured the level of interest in victim-offender mediation programs. Each victim was asked to think about the criminal incident they had just reported and indicate how interested they would have been in participating in a mediation program: very interested, somewhat interested, or not at all interested.

Survey results indicate that victims in Canada are divided in their interest in participating in victim-offender mediation. For instance,

in 1999, 51% of victims were very or somewhat interested in dealing with their criminal incident outside the normal police-court process, while 46% of victims were not at all interested. There was very little difference between the interest of female victims and that of male victims. Specifically, 47% of female victims and 44% of male victims were very or somewhat interested in participating in victim-offender mediation. As well, victims aged 45 to 64 years (50%) were the most likely to be very or somewhat interested compared with 41% of those aged 15 to 24, 47% for those aged 25 to 44 and 47% of those aged 65 years or older.

In general, victims of more serious crimes are less likely to be interested in participating in victim-offender mediation programs. For example, in 1999, over one-half of the victims of sexual assault (61%), assault (60%), and robbery (50%) indicated that they were not at all interested in a victim-offender mediation program. These proportions were much higher than those reported for victims of break and enter (38%), theft of household property (39%), and vandalism (40%).

**Interest in victim-offender mediation, by type of victimization<sup>1</sup>, 1999**

	Level of Interest							
	Total Incidents		Very Interested		Somewhat Interested		Not at all Interested	
	000s	%	000s	%	000s	%	000s	%
All incidents	6,460	100	1,553	24	1,730	27	2,982	46
<b>Total personal</b>	3,804	100	807	21	921	24	1,933	51
Theft personal property	1,831	100	494	27	541	30	768	42
Total violent	1,973	100	313	16	380	19	1,165	59
Sexual assault	499	100	43	9†	83	17	302	61
Robbery	228	100	43	19†	63	27	115	50
Assault	1,246	100	227	18	234	19	748	60
<b>Total household</b>	2,656	100	745	28	808	30	1,050	40
Break and enter	587	100	163	28	184	31	222	38
Motor vehicle/parts theft	501	100	129	26	154	31	213	42
Theft household property	760	100	223	29	230	30	294	39
Vandalism	808	100	230	28	240	30	321	40

† Coefficient of variation between 16.6% and 33.3%.

Figures may not add to total due to rounding.

<sup>1</sup> Victimization incidents occurred some time during the 12 months preceding the survey

Source: Statistics Canada, General Social Survey, 1999.



On the other hand, with the exception of an assault involving a first-time adult offender, Quebec residents were the strongest supporters of non-prison based sanctions for all cases. For example, in 1999, more than 8 in 10 Quebec residents advocated a non-prison sentence for a first-time young offender convicted of a break and enter offence. Residents in Newfoundland (76%), Prince Edward Island (73%), and New Brunswick (73%) were also strong supporters of alternatives to incarceration in this situation. The lowest level of support was found in Manitoba (65%).

As well, in all cases involving both adult and young offenders, the sentencing preferences of rural residents and urban residents were generally quite similar.

### Comparing Public Preferences with Sentencing Practice

A discussion on public attitudes toward sentencing is incomplete without investigating how, or if, public attitudes deviate from the practices of the Canadian criminal courts. An examination of official court data reveals that the public's sentencing preferences in the two specific situations considered (break and enter and minor assault cases) are quite similar to the sentences imposed by judges in both youth and adult criminal courts. Specifically, similar to the preferences of the public, the courts more often impose a prison sentence for break and enter when compared to assault. However when more details of a case are considered, some discrepancies become evident.

#### Sentencing of adult offenders<sup>26</sup>

In 1998-99, adult criminal courts in 7 provinces and 2 territories heard 394,884 cases. Minor assaults<sup>27</sup> accounted for 12% of cases (46,859) and break and enter, 4% (14,268 cases).<sup>28</sup>

Similar to the sentencing preferences of the public, the adult courts imposed more prison sentences in convictions involving a break and enter (63%), when compared to minor assault (29%, see Table 9). These figures include both first-time and repeat offences. Less than two-thirds (63%) of adults convicted of break and enter received a prison sentence, a figure that is higher than the public's preference for first-time offences (37%) and slightly lower than that for repeat offences (68%). In comparison, the court figure for assault is approximately the same as the public's preference for first-time offences (29% versus 28%) and much lower than that for repeat offences (29% versus 63%, see Tables 8 and 9).

#### Sentencing of young offenders<sup>29</sup>

In 1998-99, there were 11,613 break and enter crime cases processed in the youth courts of Canada. This figure represented 11% of the total caseload. Similarly, the 10,383 minor assault cases accounted for 10% of the total cases.<sup>30</sup>

Echoing the views expressed by Canadians, the youth courts imposed a sentence of custody<sup>31</sup> (open or closed) more often for break and enter convictions in comparison to minor assault cases. This was true for both first-time (17% and 11% respectively) and repeat young offenders<sup>32</sup> (50% and 32% respectively, see Table 9). Overall, the practices of the youth courts for cases involving break and enter are fairly consistent with the preferences of the public, while the public is slightly

harsher than the youth courts in its sentencing preferences for cases involving assault. For example, 17% of first-time young offenders convicted of break and enter received a custody sentence compared to the public preference of 21% (see Tables 8 and 9). In comparison, 11% of first-time young offenders convicted of an assault were sentenced to custody by the courts, slightly lower than the public's preference of 18%. Comparable results were found when looking at cases involving young offenders convicted of repeat offences.

### Box 5 The Use of Alternative Measures<sup>33</sup>

Alternative measures are formalized programs across Canada by which offenders who would otherwise proceed to court may be dealt with through non-judicial, community-based alternatives. Typical programs could include community service, personal service or financial compensation to a victim, apologies, or educational sessions.

In 1998-99, the Alternative Measures Survey for Youth and Adults, administered by Statistics Canada, collected data for alternative measures cases involving youth aged 12 to 17 and for adults 18 and older at the national level.<sup>34</sup> Results of the survey reveal that in 1998-99, there were 33,173 youth alternative measures cases that reached agreement in Canada and 13,226 cases for adult alternative measures in the six reporting jurisdictions.

For youth alternative measures cases, minor assault accounted for 7% of the cases that reached agreement in 1998-99, while break and enter accounted for 5% of cases. In comparison, for adult alternative measures cases, minor assault accounted for 12%, while break and enter accounted for 1% of cases. Less use of alternative measures for break and enter offences, in comparison to common assault, corresponds with the sentencing preferences of the public.

<sup>26</sup> Data on adult courts come from the Adult Criminal Court Survey. In 1998-99, this survey collected information on cases disposed in the provincial/territorial courts of Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon, and the Northwest Territories. These jurisdictions represent about 80% of the national caseload in provincial/territorial courts. Sentencing information does not include cases that are transferred to superior courts. The cases heard by superior courts tend to be the most serious.

<sup>27</sup> Minor (level 1) assault refers to the least serious form of assault and includes pushing, slapping, punching and face-to-face verbal threats. It is comparable to the minor assault description presented in the scenario questions posed on the GSS.

<sup>28</sup> For more information see Statistics Canada Catalogue no. 85-002-XPE Vol. 20 no.1.

<sup>29</sup> Information on youth court cases comes from the Youth Court Survey, which has full national coverage. Youth refers to any person between the ages of 12 and 17 at the time of the offence.

<sup>30</sup> For more information see Statistics Canada Catalogue no. 85-002-XPE Vol. 20 no.2.

<sup>31</sup> In youth court, there are two types of custody dispositions where the young person is required to spend time in a designated correctional facility. These include secure (closed) custody and open custody. In adult court, prison is the only custody alternative for offenders convicted of a criminal offence.

<sup>32</sup> Recidivism data from the Youth Court Survey excludes data from Nova Scotia and convictions for a violation of the Young Offenders Act and post-disposition administrative offences in the Criminal Code (i.e., failure to appear and failure to comply with a disposition).

<sup>33</sup> For more information see Statistics Canada Catalogue no. 85-002-XPE Vol. 20 no.6.

<sup>34</sup> The Alternative Measures Survey collected data on youth alternative measures from all jurisdictions. Six jurisdictions provided data on adult alternative measures. These jurisdictions include: Prince Edward Island, Nova Scotia, New Brunswick, Saskatchewan, Alberta, and British Columbia. These provinces represent 32% of the Canadian adult population.



## Factors Influencing Attitudes Toward Sentencing

The age of the offender, the nature of the offence, perceptions regarding repeat offending, age, level of education, history of victimization, and satisfaction with personal safety are all factors that have an impact on a person's attitudes toward sentencing of criminal offenders.<sup>35</sup>

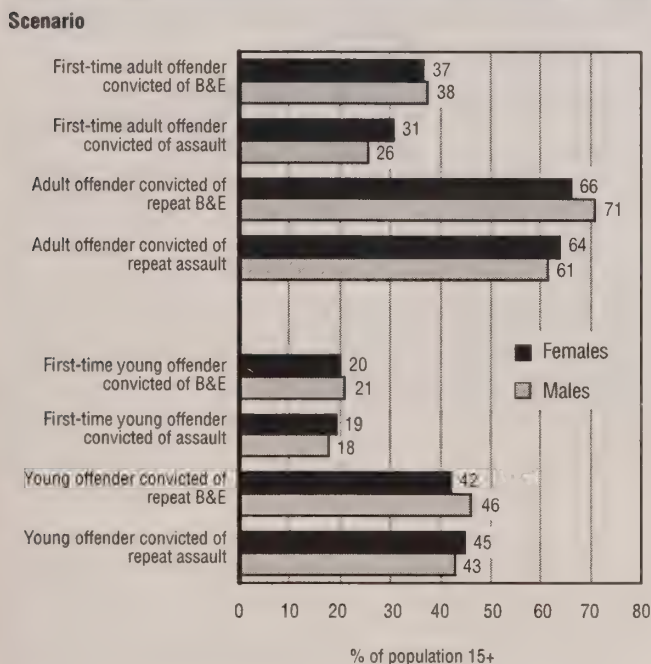
### Men and women differ in their sentencing preferences in certain cases

In general, men and women differ in their attitudes toward sentencing adult offenders. However, one is not necessarily more punitive than the other since the nature of their attitudes differs according to the type of offence involved. For instance in 1999, for both first-time and repeat adult offenders convicted of an assault, women were more likely than men to prefer a prison sentence (see Figure 7). Alternatively, men were more likely than women to advocate a prison sentence for an adult offender convicted of a repeat break and enter. Men and women had similar sentencing preferences for a first-time adult offender convicted of break and enter.

Alternatively, men and women have similar attitudes toward sentencing young offenders. For example, in 1999, 19% of women preferred a prison sentence for a first-time young offender convicted of an assault, compared to 18% of men (see Figure 7). With the exception of a young offender convicted of a repeat break and enter, similar results were found in the other cases involving young offenders.

Figure 7

**In some cases, men and women differ in their preferences for prison sentences<sup>1</sup>**



<sup>1</sup> Based on the proportion who chose "prison".

Source: Statistics Canada, General Social Survey, 1999.

### Younger Canadians more harsh in their sentencing preferences

Younger Canadians are more supportive of prison sentences when compared to older Canadians. For example, in 1999, prison was selected by 75% of Canadians aged 15 to 24 when asked about an adult offender convicted of a repeat break and enter offence. In comparison, 71% of those aged 25 to 44, 64% of those aged 45 to 64, and 61% of those 65 years of age or older, chose prison for the same situation (see Table 10). With the exception of a young offender convicted of a repeat assault offence, there were similar findings in each of the other hypothetical crime scenarios.

### University graduates are least likely to support prison sentences

Canadians who have lower levels of formal education are more punitive in their sentencing preferences for both youth and adult offenders. In 1999, with the exception of cases involving a repeat assault offence, Canadians with less than a high school education were most likely to favour prison sentences for adult offenders. For example, 72% of those who had not completed high school indicated a preference for prison for a repeat adult offender convicted of a break and enter, while 63% of those with a university degree did the same (see Table 11).

For cases involving young offenders, the strongest support for prison was found among high school graduates, while the lowest support was among those with a university degree. For example, in 1999, almost one-half (49%) of those who had completed high school favoured prison for a repeat young offender convicted of either a break and enter or an assault, compared to 40% of those with a university degree (see Table 11).

As with attitudes toward the justice system, other personal characteristics such as main activity,<sup>36</sup> marital status, and level of income, appear to have no impact on sentencing preferences, once the effects due to age are removed.

### Victims more likely to favour prison sentences for repeat offenders

Victims of both violent and non-violent crimes in the 12 months preceding the survey are more likely than non-victims to advocate a prison sentence for repeat offenders, regardless of the age of the offender or the type of offence committed. For example, in 1999, almost 8 in 10 victims of violent crimes (77%) and three-quarters (75%) of victims of non-violent crimes supported the use of prison for an adult offender convicted of a repeat break and enter. The level of support for prison in this situation was much lower for non-victims (66%, see Table 12).

Similarly, victims of violent crimes (52%) and non-violent crimes (50%) were much more likely than non-victims (42%), to prefer prison for a young offender convicted of a repeat

<sup>35</sup> See Roberts (1996) and Sprott and Doob (1997)

<sup>36</sup> Readers are reminded that the 1999 GSS asked respondents to identify their main activity during the previous 12 months. A main activity could be one of the following: working at a paid job or business, looking for paid work, going to school, caring for children, doing household work, and being retired.



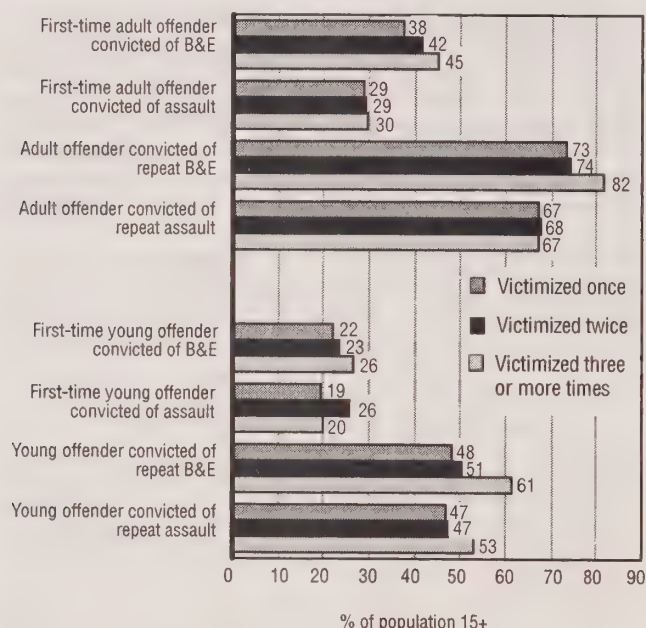
break and enter offence (see Table 12). When sentencing first-time offenders, there is very little difference between the sentencing preferences of Canadians who were victims of crime in the previous year and those who were not.

Generally, there is little difference in support for prison-based sanctions between Canadians who reported being victimized once in the 12 months preceding the survey and those who reported a higher number of victimizations. However, the number of victimizations reported by Canadians has an impact on sentencing preferences for adult and young offenders convicted of a repeat break and enter offence. For instance, when choosing an appropriate sentence for a young offender convicted of a repeat break and enter, 61% of those who reported three or more victimizations in the previous year favoured prison. In comparison, 51% of those who had been victimized twice, and 48% who reported being victimized once in the 12 months preceding the survey, chose prison (see Figure 8). Similar results were found for an adult offender in a similar case.

Figure 8

### In repeat B&E cases, support for prison higher for those who report more victimizations<sup>1,2</sup>

#### Scenario



<sup>1</sup> Based on the proportion who chose "prison".

<sup>2</sup> The GSS collects information on the type and number of times the respondent has been a victim of crime over the past 12 months for 8 types of crimes, according to Criminal Code definitions.

Source: Statistics Canada, General Social Survey, 1999.

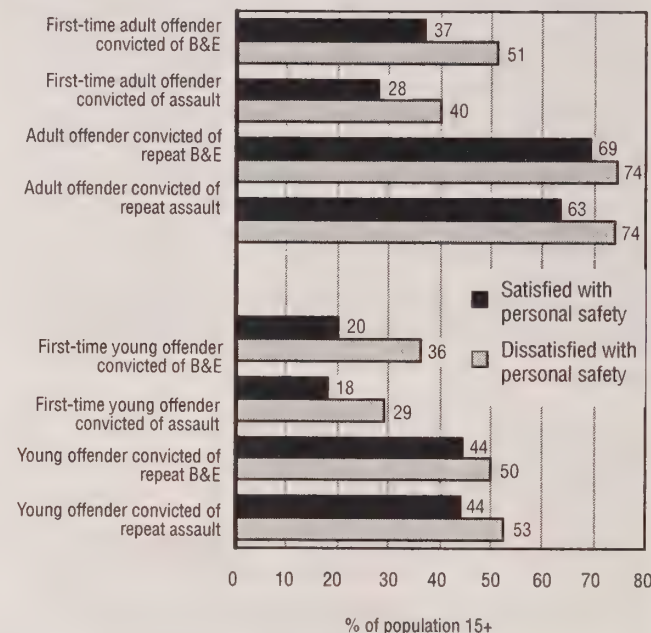
### Prison sentences more often preferred by those who are dissatisfied with their personal safety

Canadians who are dissatisfied with their overall personal safety from crime more often support the use of prison-based sanctions for criminal offenders. For example, in 1999, more than one-half (51%) of Canadians who were dissatisfied with their personal safety from crime advocated prison for a first-time adult offender convicted of a break and enter, compared to (37%) of those who were satisfied (see Figure 9). As well, in a similar case involving a first-time young offender, over one-third (36%) of those who were dissatisfied chose prison, while 20% of those who were satisfied did the same. Similar results were found for each of the other cases involving adult and young offenders.

Figure 9

### Greater support for prison when dissatisfied with personal safety<sup>1,2</sup>

#### Scenario



<sup>1</sup> Based on the proportion who chose "prison".

<sup>2</sup> Respondents were asked to provide an overall rating of their feelings of satisfaction with their personal safety from crime. For analysis purposes, the responses have been combined into two categories "Satisfied" and "Dissatisfied".

Source: Statistics Canada, General Social Survey, 1999.

## Box 6 International Comparisons

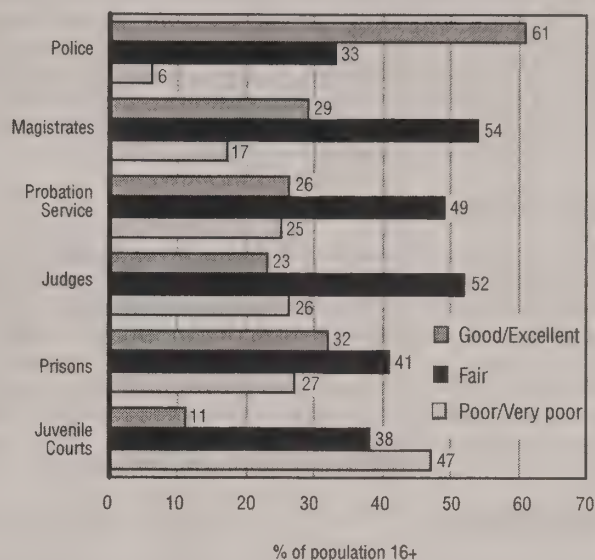
The investigation of public attitudes regarding the criminal justice system and its processes has been the focus of numerous international research studies over the last three decades. Such research studies have produced results that are comparable to the findings from research conducted within Canada.

Similar to the 1999 General Social Survey (GSS), the 1998 British Crime Survey (BCS) administered throughout England and Wales, measured public attitudes toward the criminal justice system and, using specific case-scenario type questions, assessed public attitudes regarding sentencing. A total of 14,947 face-to-face interviews were conducted with a random sample of residents, 16 years of age or older. Findings from the 1998 BCS<sup>37</sup> reveal that, members of the public in England and Wales were most satisfied with the job being done by the police (61%), followed by the prison service (32%), magistrates (29%) and the probation service (26%). Levels of satisfaction were lowest for juvenile courts (11%).

As well, respondents to the 1998 BCS were presented with hypothetical crime scenarios and asked to consider the most appropriate way to deal with the youth or adult offender described. For a case involving a repeat adult offender convicted of burglary, financial compensation (56%) and imprisonment (52%) were the public's preferred sentences. Less favourable sentencing options included community service (26%), fines (21%), suspended sentence (17%), and probation (9%). Overall, sentencing preferences of the public for this case were more lenient than the current sentencing guidelines in Britain.

In comparison, for cases involving young offenders, respondents were asked about both first-time and persistent offenders. In a case involving a first-time young offender convicted of burglary, members of the public favoured community sentences (42%) and cautions (22%), followed by reparation orders (16%), imprisonment (9%) and punishing the parents (5%). In contrast, for a persistent young offender convicted of a similar offence, the public most frequently advocated a sentence of imprisonment (59%), followed by community sentences (29%). Less frequently reported

Public attitudes toward various criminal justice agencies in England and Wales, 1998



Source: London Home Office, British Crime Survey, 1998.

sentencing preferences included cautions (3%), punishing the parents (3%), fines (2%) and reparation orders (1%). Generally, the sentencing suggestions offered by the public for young offenders were more punitive than the current sentencing practice.

37 See Mattinson and Mirreles-Black (2000)

## Methodology

The GSS is an annual survey that monitors changes in Canadian society and provides information on specific policy issues of current or emerging interest. Each year, the GSS focuses on various regular topics (including time use, social support, the family, technology and victimization). In 1999, Statistics Canada conducted the victimization cycle of the GSS for a third time. Previous cycles were conducted in 1988 and in 1993. The objectives of the survey are to provide estimates of the prevalence of eight offence types (based on the *Criminal Code* definitions for these crimes) in the population, to examine factors related to the risk of victimization, victims' willingness to report crimes to the police, reasons for not reporting, and to measure public perceptions of crime and the criminal justice system.

The 1988 and 1993 cycles of the GSS interviewed approximately 10,000 Canadians aged 15 years and older residing in households in the ten provinces. For the 1999 survey, the sample was increased to approximately 26,000 in order to allow for more reliable estimates and more detailed analysis of small populations and crimes that occur less frequently.

## Data Collection

Interviews were conducted over the period from February 1999 to December 1999 inclusive. Computer-Assisted Telephone Interviewing (CATI) was used. With this process, the survey questionnaire is programmed into a network computer allowing the interviewers to view the survey questions on their workstation computer monitor. A typical interview lasted 30 minutes.

## Sampling Procedures

Each province is divided into a few (from 1 to 3) broad geographic areas known as strata, and telephone numbers within each stratum have the same chance of being selected. Households in the 10 provinces were selected using random digit dialing (RDD) sampling techniques. Once a household was contacted, an individual who was 15 years of age or older was randomly selected from those living in the household. Households were excluded from the survey when they had no telephone. Also excluded were individuals living in institutions (1%). In all, approximately 2% of the population was excluded. This figure is not large enough to significantly affect the results.



## Response Rates

In 1999, as with previous cycles of Statistics Canada's GSS on victimization, the response rate was quite high – 81.3%. Approximately 26,000 people, 15 years of age or older, living in the 10 provinces were interviewed. The respondents in the sample were weighted so that their responses represent the approximately 24,260,000 non-institutionalized persons aged 15 years or older in the Canadian population. Using the 1999 GSS sample design and sample size, an estimate of a given proportion of the total population, expressed as a percentage, is expected to be within approximately 0.8% of the true proportion 19 times out of 20.

## Data limitations

It is important to note that the GSS data are estimates. Since measures from the survey are based on a sample, they are always estimates of the true values and are subject to sampling error. Estimates of proportions of sub-populations will have wider confidence intervals. This *Juristat* uses the coefficient of variation (CV) as a measure of the sampling error. When the CV of an estimate is higher than 33.3%, this is considered unreliable and is not published.

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Table 1

## Perceptions of the local police and criminal courts, 1988, 1993 and 1999<sup>1</sup>

	Public perceptions											
	Good job			Average job			Poor job			Don't know/ Not stated		
	1988	1993	1999	1988	1993	1999	1988	1993	1999	1988	1993	1999
% of population 15+												
<b>What kind of job are your local police doing at ...</b>												
Being approachable	66	64	66	17	19	17	5	5	4	12	12	12
Ensuring the safety of citizens	..	58	62	..	29	26	..	7	5	..	6	6
Enforcing the laws	60	58	60	29	31	29	5	6	5	6	5	5
Supplying information on reducing crime	56	52	54	21	26	26	9	12	9	13	10	11
Responding promptly to calls	50	47	49	21	23	21	9	9	8	21	21	23
<b>What kind of job are criminal courts doing at ...</b>												
Ensuring a fair trial for the accused	44	46	41	30	29	35	9	12	11	18	14	14
Determining whether or not the accused is guilty	25	20	21	37	41	43	17	21	20	21	17	17
Helping the victim	16	12	15	31	31	33	33	42	35	20	14	16
Providing justice quickly	14	10	13	34	30	35	37	50	41	16	11	11

.. figures not available

Figures may not add to total due to rounding.

<sup>1</sup> The proportions are based on a total population of approximately 20,194,000 in 1988, 21,644,000 in 1993, and 24,260,000 in 1999.

Source: Statistics Canada, General Social Survey, 1988, 1993, and 1999.

Table 2

## Perceptions of the prison and parole systems, 1999<sup>1</sup>

	1999					
	Total		Good job	Average job	Poor job	Don't know/ Not stated
	000s	%	% of population 15+			
<b>What kind of job is the prison system doing at ...</b>						
Supervising/controlling prisoners	24,260	100	26	32	20	21
Helping prisoners become law-abiding	24,260	100	14	32	28	26
<b>What kind of job is the parole system doing at ...</b>						
Releasing offenders who are not likely to re-offend	24,260	100	15	34	32	19
Supervising offenders on parole	24,260	100	13	30	33	24

Figures may not add to total due to rounding.

<sup>1</sup> The 1988 and 1993 GSS did not examine the performance of the prison and parole systems. This was new to the GSS in 1999.

Source: Statistics Canada, General Social Survey, 1999.



Table 3

### Perception of the criminal justice system doing a good job, by province, 1999<sup>1</sup>

	Total		Province									
			Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
	000s	%	% of population 15+									
<b>Local police are doing a <u>good</u> job at ...</b>												
Being approachable	16,044	66	76	76	73	72	66	65	64	66	67	67
Ensuring the safety of citizens	15,138	62	71	73	64	67	71	61	58	55	61	52
Enforcing the laws	14,650	60	63	63	61	62	67	60	54	47	59	53
Supplying information on reducing crime	13,133	54	65	58	57	57	59	51	50	51	54	53
Responding promptly to calls	11,910	49	56	59	54	57	58	45	44	39	45	46
<b>Criminal courts are doing a <u>good</u> job at ...</b>												
Ensuring a fair trial for the accused	9,851	41	44	47	45	52	37	41	38	39	40	43
Determining whether or not the accused is guilty	5,028	21	29	29	23	31	24	20	18	17	18	17
Helping the victim	3,743	15	27	23	16	24	20	14	11	12	11	12
Providing justice quickly	3,114	13	25	19	12	22	16	12	10	11	9	9
<b>The prison system is doing a <u>good</u> job at ...</b>												
Supervising/controlling prisoners	6,402	26	32	37	28	36	31	25	23	25	23	21
Helping prisoners become law-abiding	3,471	14	25	20	15	25	21	12	10	11	10	10
<b>The parole system is doing a <u>good</u> job at ...</b>												
Releasing offenders who are not likely to re-offend	3,699	15	20	24	16	21	26	12	11	12	12	9
Supervising offenders on parole	3,220	13	23	24	15	21	19	11	11	10	10	8

<sup>1</sup> Only the number and proportion who perceive justice agencies as doing a "good" job is shown.

Source: Statistics Canada, General Social Survey, 1999.

Table 4

### Perception of the criminal justice system doing a good job, by age, 1999<sup>1</sup>

	Total		Age of population (years)			
			15-24	25-44	45-64	65+
	000s	%	% of population			
<b>Local police are doing a <u>good</u> job at ...</b>						
Being approachable	16,044	66	59	65	71	70
Ensuring the safety of citizens	15,138	62	61	59	64	69
Enforcing the laws	14,650	60	56	57	63	70
Supplying information on reducing crime	13,133	54	48	51	58	61
Responding promptly to calls	11,910	49	44	46	53	56
<b>Criminal courts are doing a <u>good</u> job at ...</b>						
Ensuring a fair trial for the accused	9,851	41	42	40	43	36
Determining whether or not the accused is guilty	5,028	21	28	20	19	17
Helping the victim	3,743	15	28	14	11	14
Providing justice quickly	3,114	13	20	12	10	12
<b>The prison system is doing a <u>good</u> job at ...</b>						
Supervising/controlling prisoners	6,402	26	38	27	23	18
Helping prisoners become law-abiding	3,471	14	22	13	12	14
<b>The parole system is doing a <u>good</u> job at ...</b>						
Releasing offenders who are not likely to re-offend	3,699	15	25	14	14	9
Supervising offenders on parole	3,220	13	26	12	10	9

<sup>1</sup> Only the number and proportion who perceive justice agencies as doing a "good" job is shown.

Source: Statistics Canada, General Social Survey, 1999.

Table 5

## Perception of the criminal justice system doing a good job, by level of education, 1999<sup>1</sup>

	Total	Level of Education				
		Less than high school	High school diploma	Some post-secondary/college diploma	University degree	
	000s	%	% population 15+			
<b>Local police are doing a <i>good</i> job at ...</b>						
Being approachable	16,044	66	67	69	67	65
Ensuring the safety of citizens	15,138	62	67	63	62	60
Enforcing the laws	14,650	60	63	61	59	61
Supplying information on reducing crime	13,133	54	56	56	55	51
Responding promptly to calls	11,910	49	54	48	48	48
<b>Criminal courts are doing a <i>good</i> job at ...</b>						
Ensuring a fair trial for the accused	9,851	41	37	39	42	48
Determining whether or not the accused is guilty	5,028	21	22	19	20	24
Helping the victim	3,743	15	23	14	14	11
Providing justice quickly	3,114	13	19	11	10	11
<b>The prison system is doing a <i>good</i> job at ...</b>						
Supervising/controlling prisoners	6,402	26	29	26	27	27
Helping prisoners become law-abiding	3,471	14	21	14	13	10
<b>The parole system is doing a <i>good</i> job at ...</b>						
Releasing offenders who are not likely to re-offend	3,699	15	18	14	15	16
Supervising offenders on parole	3,220	13	19	12	12	10

<sup>1</sup> Only the number and proportion who perceive justice agencies as doing a "good" job is shown.

Source: Statistics Canada, General Social Survey, 1999.



Table 6

# Perception of the local police doing a good job, by contact with police, 1999<sup>1</sup>

Perception of the local police doing a *good* job

	Being approachable	Ensuring the safety of citizens	Enforcing the laws	Supplying information on reducing crime	Responding promptly to calls
% of population 15+					
<b>Total Population</b>	<b>66</b>	<b>62</b>	<b>60</b>	<b>54</b>	<b>49</b>
<b>Contact with the police<sup>2</sup>...</b>					
<b>for a public information session</b>					
Yes	76	69	64	68	55
No	65	62	60	53	48
<b>for a traffic violation</b>					
Yes	61	56	55	51	46
No	67	63	61	55	50
<b>as a victim of crime<sup>3</sup></b>					
Yes	64	52	51	47	46
No	66	64	62	55	49
<b>as a witness to a crime</b>					
Yes	61	52	49	48	44
No	66	63	61	55	49
<b>by being arrested</b>					
Yes	50	47	40	41	42
No	66	63	61	54	49

<sup>1</sup> Only the proportion who perceive local police force as doing a "good" job is shown.

<sup>2</sup> Includes the 12-month period prior to the survey.

<sup>3</sup> Crimes are those defined by the respondent and may therefore not fall within the eight specific offence types measured by the GSS.

Source: Statistics Canada, General Social Survey, 1999.

Table 7

## Perception of the criminal justice system doing a good job, by type of victimization, 1999<sup>1</sup>

	Total		Type of Victimization (over the last 12 months)			
			Total Victims <sup>2</sup>	Victims of Violent Crime <sup>3</sup>	Victims of Non-Violent Crime <sup>4</sup>	Non-Victims
	000s	%	% of population 15+			
<b>Local police are doing a <u>good</u> job at ...</b>						
Being approachable	16,044	66	62	59	63	68
Ensuring the safety of citizens	15,138	62	54	51	56	65
Enforcing the laws	14,650	60	52	48	53	64
Supplying information on reducing crime	13,133	54	48	43	50	56
Responding promptly to calls	11,910	49	45	44	46	51
<b>Criminal courts are doing a <u>good</u> job at ...</b>						
Ensuring a fair trial for the accused	9,851	41	41	40	41	40
Determining whether or not the accused is guilty	5,028	21	20	21	20	21
Helping the victim	3,743	15	14	15	13	16
Providing justice quickly	3,114	13	10	11	10	14
<b>The prison system is doing a <u>good</u> job at ...</b>						
Supervising/controlling prisoners	6,402	26	28	29	27	26
Helping prisoners become law-abiding	3,471	14	13	14	13	15
<b>The parole system is doing a <u>good</u> job at ...</b>						
Releasing offenders who are not likely to re-offend	3,699	15	16	20	15	15
Supervising offenders on parole	3,220	13	14	16	13	13

<sup>1</sup> Only number and proportion who perceive justice agencies as doing a "good" job are shown.

<sup>2</sup> Includes victims of crimes that were not classified by crime type.

<sup>3</sup> Violent crimes include sexual assault, robbery, attempted robbery, and assault.

<sup>4</sup> Non-Violent crimes include break and enter, attempted break and enter, motor vehicle/parts theft, attempted motor vehicle/parts theft, theft of personal property, attempted theft of personal property, theft of household property, attempted theft of household property, and vandalism.

Source: Statistics Canada, General Social Survey, 1999.

Table 8

## Sentencing preferences of the public in specific situations, 1999

	Total		Sentencing Preference					
			Prison		Non-Prison		Don't Know/ Not stated	
	000s	%	000s	%	000s	%	000s	%
<b>Situational Factors</b>								
<b>Adult Offender</b>								
First-time Offence								
B&E	24,260	100	8,999	37	13,341	55	1,921	8
Assault	24,260	100	6,892	28	15,102	62	2,266	9
Repeat Offence								
B&E	24,260	100	16,596	68	5,956	25	1,709	7
Assault	24,260	100	15,195	63	6,808	28	2,257	9
<b>Young Offender</b>								
First-time Offence								
B&E	24,260	100	5,053	21	17,384	72	1,823	8
Assault	24,260	100	4,486	18	17,801	73	1,973	8
Repeat Offence								
B&E	24,260	100	10,692	44	11,809	49	1,759	7
Assault	24,260	100	10,673	44	11,491	47	2,097	9

Source: Statistics Canada, General Social Survey, 1999.



Table 9

### Sentencing practices of adult and youth criminal courts in specific situations, 1998-99

	Total	Sentence Imposed <sup>1</sup>	
		Prison <sup>2</sup>	Non-Prison <sup>2</sup>
		% of convictions	
<b>Adult Court<sup>3</sup></b>			
B&E	69	63	37
Minor Assault	54	29	71
<b>Youth Court<sup>4</sup></b>			
<b>First-time offenders<sup>5</sup></b>			
B&E	57	17	83
Minor Assault	64	11	89
<b>Repeat offenders<sup>6</sup></b>			
B&E	32	50	50
Minor Assault	29	32	68

<sup>1</sup> Based on the most significant sentence.

<sup>2</sup> In youth court, there are two types of custody dispositions where the young person is required to spend time in a designated correctional facility. These include secure (closed) custody and open custody. In adult court, prison is the only custody alternative for offenders convicted of a criminal offence.

<sup>3</sup> Data on adult courts come from the Adult Criminal Court Survey, which has about 80% national coverage. It is not possible with this data source to provide figures for offenders with prior convictions.

<sup>4</sup> Information on youth court cases come from the Youth Court Survey, which has full national coverage. Recidivism data from this data source excludes data from Nova Scotia.

<sup>5</sup> Based on offenders with a break and enter or minor assault with no priors.

<sup>6</sup> Based on recidivists with a break and enter or minor assault with only one prior similar offence.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Adult Criminal Court Survey, 1998-99 and Youth Court Survey, 1998-99.

Table 10

### Sentencing preferences of the public in specific situations, by age of respondent, 1999

	Total		Age (years)							
			15 - 24		25 - 44		45 - 64		65 +	
			Prison	Non-Prison	Prison	Non-Prison	Prison	Non-Prison	Prison	Non-Prison
<b>Situational Factors</b>	000s	%	% of population 15+							
<b>Adult Offender</b>										
First-time Offence										
B&E	24,260	100	45	51	37	57	34	59	35	46
Assault	24,260	100	33	61	29	64	25	66	28	50
Repeat Offence										
B&E	24,260	100	75	22	71	24	64	30	61	20
Assault	24,260	100	67	29	64	28	61	30	56	24
<b>Young Offender</b>										
First-time Offence										
B&E	24,260	100	22	73	22	72	18	75	21	61
Assault	24,260	100	20	75	20	74	16	76	16	64
Repeat Offence										
B&E	24,260	100	48	49	48	47	40	54	38	42
Assault	24,260	100	44	53	46	47	44	49	39	40

**Source:** Statistics Canada, General Social Survey, 1999.

Table 11

## Sentencing preferences of the public in specific situations, by level of education, 1999

Total		Level of Education								
		Less than high school		High school diploma		Some post-secondary/college diploma		University degree		
		Prison	Non-Prison	Prison	Non-Prison	Prison	Non-Prison	Prison	Non-Prison	
(000s)		%	% of population 15+							
Situational Factors										
Adult Offender										
First-time Offence										
B&E	24,260	100	45	47	38	55	38	59	30	67
Assault	24,260	100	32	59	32	61	28	66	26	68
Repeat Offence										
B&E	24,260	100	72	20	71	24	71	25	63	32
Assault	24,260	100	63	27	66	27	66	29	63	31
Young Offender										
First-time Offence										
B&E	24,260	100	24	67	25	69	20	76	16	82
Assault	24,260	100	21	71	20	74	18	77	16	80
Repeat Offence										
B&E	24,260	100	45	47	49	46	46	50	40	56
Assault	24,260	100	45	46	49	45	47	49	40	54

Source: Statistics Canada, General Social Survey, 1999.

Table 12

## Sentencing preferences of the public in specific situations, by type of victimization, 1999

			Type of Victimization (over the last 12 months)							
			Total Total Victims <sup>1</sup>		Victims of Violent Crime <sup>2</sup>		Victims of Non- Violent Crime <sup>3</sup>		Non-Victims	
			Prison	Non-Prison	Prison	Non-Prison	Prison	Non-Prison	Prison	Non-Prison
			% population 15+							
000s			%							
Situational Factors										
Adult Offender										
First-time Offence										
B&E	24,260	100	40	57	42	55	39	58	36	54
Assault	24,260	100	29	67	30	67	28	68	28	61
Repeat Offence										
B&E	24,260	100	75	22	77	22	75	23	66	25
Assault	24,260	100	67	28	68	30	68	27	61	28
Young Offender										
First-time Offence										
B&E	24,260	100	23	74	24	74	22	75	20	71
Assault	24,260	100	21	76	22	76	20	77	18	72
Repeat Offence										
B&E	24,260	100	51	47	52	46	50	48	42	49
Assault	24,260	100	48	48	52	45	47	49	43	47

<sup>1</sup> Includes victims of crimes that were not classified by crime type.

<sup>2</sup> Violent crimes include sexual assault, robbery, attempted robbery, and assault.

<sup>3</sup> Non-Violent crimes include break and enter, attempted break and enter, motor vehicle theft/parts, attempted motor vehicle theft/parts, theft of personal property, attempted theft of personal property, theft of household property, attempted theft of household property, and vandalism.

Source: Statistics Canada, General Social Survey, 1999.



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## BREAK AND ENTER, 1999

by Melanie Kowalski

### HIGHLIGHTS

- Breaking and entering (B&E) is a serious property crime, often resulting in both financial and psychological consequences for victims. In 1999, there were 318,448 incidents of B&E reported to police, down substantially from the peak of 434,602 B&Es reported in 1991. The rate (1,044 B&Es per 100,000 population in 1999) has dropped 33% since 1991, and is at a 25-year low.
- Almost two-thirds (62%) of all B&Es were residential in 1999, with one-quarter (26%) being business and the remaining 12% representing all other types of properties, such as storage facilities, detached garages, and tool-sheds.
- Similar to the case for most property crimes, B&E rates are generally higher in the western provinces and lower in the east. For residential B&Es, police-reported data show Saskatchewan and Quebec as having the highest rates, while victimization data show British Columbia and Saskatchewan as highest.
- Among the nine largest metropolitan areas, Montréal had the highest police-reported rate of residential B&Es, and Toronto the lowest. Among the 15 smaller metropolitan areas, the highest rates were found in Regina and Saskatoon, and the lowest in Thunder Bay.
- As there is no *Criminal Code* offence of "home invasion", this report examines residential robberies as an approximation of this type of crime. Data from a sample of 106 police services show that residential robberies have been declining over the past five years.
- Over half (58%) of all persons accused of committing a residential robbery were strangers to the victim. Victims of residential robberies are often terrorized by the crime, as 58% of these incidents involved a weapon being present, usually a firearm (22%) or a knife (21%). It appears that elderly victims are targeted in this type of crime. Of all victims of a residential robbery in 1999, 18% were aged 60 or over, compared with 3% of all violent crime victims.

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## INTRODUCTION

This report provides an overview of residential, business and 'other' break and enter (B&E) offences in Canada, including trends at the national, provincial and metropolitan area levels, as well as characteristics of B&E incidents, accused persons and victims. In addition the offence known as "home invasion" is also discussed. Data are examined from both the Uniform Crime Reporting (UCR) Survey and the General Social Survey (GSS) on victimization. Data from both youth and adult court are examined to look at the types of sentences being given to persons convicted of B&E offences.

Break and enter is considered to be a very serious crime. B&Es have many negative consequences for victims, both financial (loss of property, insurance deductibles, absence from work, purchase of home security devices, etc.) and psychological (feeling of violation of privacy, fear of possibly having come face-to-face with the offender, fear of further break-ins, loss of irreplaceable items). There is also the time involved in notifying police and insurance companies, evaluating and replacing stolen goods, and repairing damage to property.

Canada's law against B&E is based on old English common law that narrowly defined the crime as an intrusion of a home during the night with the intent to commit a felony therein<sup>1</sup>. The Canadian *Criminal Code* also includes break and enters of homes at any time of day or night, as well as businesses and other properties. However, it still recognizes the seriousness of a residential B&E by having a maximum penalty of life imprisonment for those convicted of a B&E of a dwelling-house. The maximum penalty for other types of B&E is 10 years.

A "home invasion" is a relatively new term that generally refers to the forced entry into a home with the direct intention of confrontation to commit a robbery and/or terrorize the inhabitants. Research shows that "home invasion" victims often experience a profound sense of terror and helplessness while the offence is being committed. In many instances, persons who are the victims of "home invasions" never again feel safe because the sanctuary of their homes has been violated<sup>2</sup>.

While there is no specific offence in the *Criminal Code* called "home invasion", the federal government introduced an omnibus bill in June 2000 with an amendment that would identify "home invasion" as an aggravating factor to be considered by a judge at the time of sentencing.

## Trends

### Break and enter rate at 25-year low

Breaking and entering is one of the most common and most serious property crimes in Canada. In 1999, there were 318,448 B&E incidents reported by police, accounting for one in four property crimes. Almost two-thirds (62%) of these B&Es were residential, one-quarter (26%) were business, and the remaining 12% represented all other types of properties (Table 1).

Expressed as a rate per 100,000 population to control for increases in population, the B&E rate increased during most of the 1960s and 70s, declined slightly in the 1980s, and then increased sharply during the early 1990s, peaking at a rate of 1,550 incidents per 100,000 population in 1991. Since that time, the B&E rate has dropped 33%, including a 22% decline between 1996 and 1999. The 1999 rate of 1,044 B&Es per 100,000 population was the lowest in 25 years (Figure 1).

The comparable offence to B&E in the United States is called "burglary". Although not using the exact same definition of a B&E in Canada, the U.S. definition of burglary

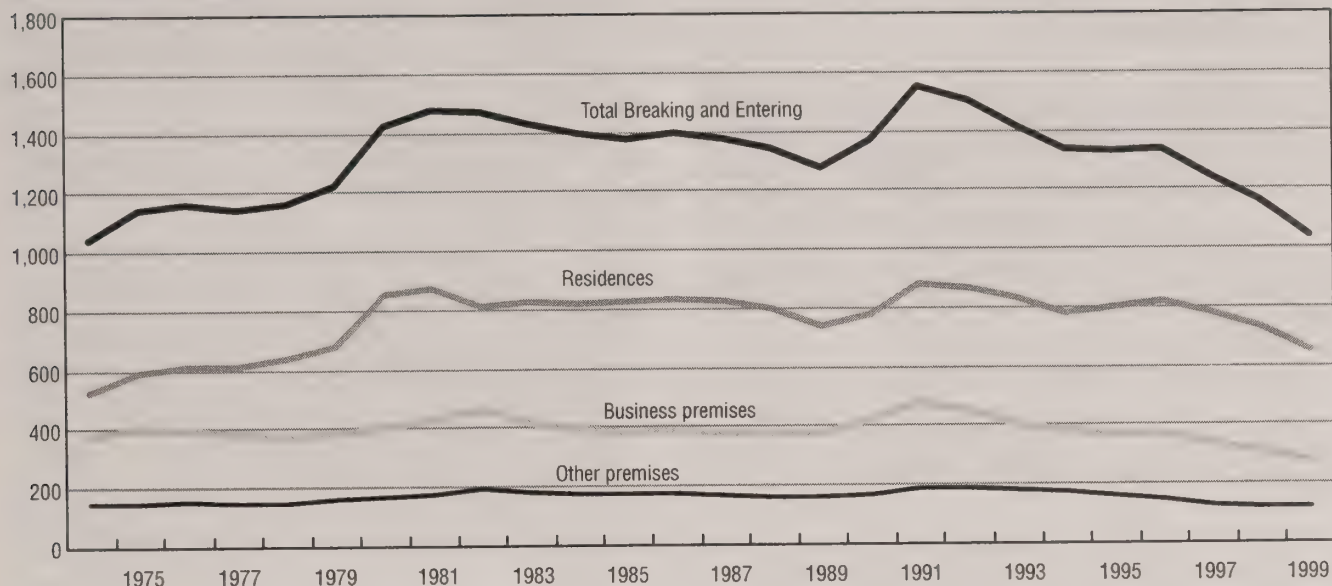
<sup>1</sup> Yogis, John A., Q.C. (1990). *Canadian Law Dictionary*. Baron's: Toronto, p. 32.

<sup>2</sup> *Journal of Contemporary Criminal Justice*, Vol. 13, no. 4 (Nov. 1997).

Figure 1

## Breaking and Entering in Canada 1974 to 1999

Rate Per 100,000 Population



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics

### Categories of Break and Enters

**Residential** – includes private residences such as single homes (including attached garages), garden homes, apartments, cottages, mobile homes, etc.

**Business** – includes premises used for commercial purposes (e.g. retail stores, financial institutions) as well as public institutions (e.g. schools, churches).

**Other** – all other private structures that are not residential (e.g. detached garages, tool-sheds, storage and transportation facilities).

appears to be close enough that a valid comparison can be made with Canada's. In 1999, there were about 2.1 million burglaries reported by police in the U.S.A. for a rate of 770 per 100,000 population. This is 26% lower than Canada's rate. Similar to Canada, the burglary rate in the States has dropped 22% over the past 5 years.

As residential B&Es account for almost two-thirds of all B&Es, it is not surprising that the trend in residential is very similar to the overall trend. **Residential** B&Es also peaked in 1991 at just under 250,000 (a rate of 880 residential B&Es per 100,000 population). By 1999, the number of residential B&Es had fallen to just under 200,000, giving a rate of 649. This was the lowest rate since 1978. In 1999 alone, the residential B&E rate fell by 11% from the previous year.

Victimization data from the 1999 General Social Survey (GSS) also indicate a drop in residential B&Es since 1993 (the previous cycle of the survey). These victim-reported data indicate a 6% drop over this time period compared to a 22% decline in police-reported data. Some of the differences between these two findings could be due to an increase in insurance deductibles in recent years, leading to fewer minor B&Es being reported to the police.

### Comparing Victimization and Police-Reported Crime Data

The two primary sources of information on crime rates in Canada are victimization surveys such as the General Social Survey and police surveys such as the Uniform Crime Reporting Survey.

**The Uniform Crime Reporting (UCR) Survey:** The UCR survey records crimes that are reported to the police. Many factors that can influence the police-reported crime rate include the willingness of the public to report crimes to the police; reporting by police to the UCR survey; and changes in legislation, policies or enforcement practices.

**The General Social Survey (GSS):** The GSS asks a sample of the population about their personal crime experiences. The GSS is a good way of estimating the extent of unreported crime in that it captures information on crimes that have been reported to the police as well as those that have gone unreported. Some limitations of victimization surveys are that they rely on respondents to report events accurately and they address only certain crimes.



**Business** B&Es have also been declining since 1991. The 83,950 business B&Es (rate of 275 per 100,000 population) in 1999 represented a 43% drop in the rate since peaking in 1991 at 480. In particular, decreases of over 9% have been seen in each of the previous three years.

## Home Invasions

Recent high-profile incidents of "home invasion" have received significant exposure in the media, particularly those where the elderly have been targeted. Although no formal definition exists, a "home invasion" is generally thought to be different from a break and enter in that there is premeditated confrontation with the victim with the intent to rob and/or inflict violence on the occupants of the household. In this manner, a "home invasion" is actually closer to the definition of a robbery than to a break and enter (please refer to Box for definitions).

The judiciary is also taking "home invasion" crimes very seriously. For example, the Alberta Court of Appeal upheld a 10 year sentence and established an eight year starting point for sentencing "home invasion" related crimes. The court stated:

*"We are of the view that the "home invasion" robbery merits a higher starting point sentence than the armed robbery of a bank of commercial institution. While offences of violence are abhorrent wherever they occur, offences which strike at the right of members of the public to the security of their own homes and to freedom from intrusion therein, must be treated with the utmost seriousness. Individuals in their own homes have few of the security devices available to commercial institutions. They are often alone, with little hope that help will arrive. Such offences, whether they result in injuries or not, are almost always terrifying, traumatic experiences for the occupants of the residence often leaving them with a total loss of any sense of security<sup>3</sup>."*

As there is no specific offence in the *Criminal Code* called "home invasion", this type of crime is not captured directly by the Uniform Crime Reporting (UCR) survey. One of the biggest obstacles in measuring "home invasion" is the lack of an agreed-upon definition. While some incidents appear to be obvious, others are not so clear:

- a homeowner returns home unexpectedly while a break and enter is in progress and there is confrontation
- a person breaks into a home believing that no one is home and someone is, or believing that the occupants are all asleep and they wake up, and there is confrontation
- someone forcibly enters the home of a person known to them to "settle a score"

Despite the lack of a clear definition, there are some sources of data for this crime. First, some police services do record the number of "home invasions" in their jurisdiction, although definitions may differ from force to force. Second, it is possible to "derive" a count of police reported "home invasions" from the incident-based UCR2 survey (please refer to methodo-

### Break and Entering and Robbery as Defined by the Criminal Code

Section 348 (1) Breaking and entering with intent, committing offence or breaking out

Every one who

- (a) breaks and enters a place with the intent to commit an indictable offence therein,
- (b) breaks and enters a place and commits an indictable offence therein, or
- (c) breaks out of a place after
  - (i) committing an indictable offence therein, or
  - (ii) entering the place with intent to commit an indictable offence therein,

Section 343 Robbery

Every one who

- (a) steals, and for the purpose of extorting whatever is stolen or to prevent or overcome resistance to the stealing, uses violence or threats of violence to a person or property;
- (b) steals from any person and, at the time he steals or immediately before or immediately thereafter, wounds, beats, strikes or uses any personal violence to that person;
- (c) assaults any person with intent to steal from him; or
- (d) steals from any person while armed with an offensive weapon or imitation thereof.

Source: *Criminal Code of Canada R.S.C. 1985.*

logy) by examining more than one variable. For example, the number of robberies occurring in a residence may be a good measure of the number of "home invasions". Third, it is also possible to derive the number of "home invasions" from the GSS. However, the number of "home invasions" reported to the GSS was too small to permit any analysis. Therefore, only the first two sources described above will be discussed below to help to shed some light on this issue.

### Data collected by police services

The following data and definitions of "home invasion" represent those police services who specifically capture data on "home invasions".

Vancouver police define a "home invasion" as follows: "where the suspect(s) choose a residential premise in which they know a person or persons are present with the pre-formulated plan of confronting the occupant(s), attacking them, holding them or binding them thereby committing assault and unlawful confinement, then a theft is attempted or completed, thereby committing robbery". Since Vancouver police began capturing this information in 1997, the number of incidents of "home invasion" has fluctuated, from 17 in 1997, to 61 in 1998, to 30 in 1999.

Toronto police define "home invasion" as a robbery committed in the living quarters of a residence<sup>4</sup>. Data from the Toronto

<sup>3</sup> *R.v. McLean (1997) M.J. No.9 (C.A.) and R.v. Matwi, (1996) A.J. No. 134 (C.A.).*

<sup>4</sup> *Toronto had a specific code for home invasion put in place in late 1998. The statistics for the other years have been compiled using the robbery offence cases and premise codes. These figures include robberies at living quarters of hotels, hostels and other group residences.*

Police Service indicate that from 1994 to 1999 the number of "home invasions" decreased steadily from 401 in 1994 to 224 in 1999, a decline of 44%.

A "home invasion" in Calgary is defined as "when the culprit(s) enter a residence by force, threats, intimidation, or permission, either knowing or expecting the residence to be occupied. Or, culprit(s) break in to residence and wait for the residents to return. Culprit(s) must have pre-formulated intention of taking property, money or drugs, etc., and use force, threats, or intimidation towards any person in the residence to achieve their goal." The number of "home invasions" reported by Calgary Police have fluctuated from 27 in 1996, to 15 in 1998, and back up to 23 in 1999.

### Data derived from the UCR2 survey

As mentioned above, there are a number of ways to define "home invasion". As such, data from the UCR2 Trend Database (please refer to methodology) will be examined using both a "narrow" and a "broad" definition. The "narrow" definition examines only incidents where police have reported a robbery occurring in a private residence. The "broad" definition includes robberies of a residence as well as any residential break and enter incidents where there was also a violent offence. The data show that only 1% of residential break and enter incidents involve a violent offence, usually an assault. (Note: any incidents including both a break and enter and a robbery are only counted once).

Both definitions show a decline in the number of "home invasions". The number of robberies in a residence (the

narrow definition of "home invasion") shows a 12% decline, from 1,313 in 1995 to 1,154 in 1999 (Figure 2). Similarly, the number of residential B&Es with a violent offence plus the number of robberies of a residence (the broad definition) also shows a decline (-2%), although somewhat smaller, between 1995 (2,504 "home invasions") and 1999 (2,449). It should be noted that these numbers reflect data from a non-representative sample of 106 police forces representing 41% of the national volume of crime.

The UCR2 survey provides information on the characteristics of residential robberies. For example, in 1999, where the relationship between the victim and accused was known, over half (58%) of all accused were strangers, and a further 24% were casual acquaintances of the victim.

In terms of being a terrifying experience for the victim, data show that most (58%) robberies of a residence involved a weapon being present in the incident, most commonly a firearm (22%) or a knife or other cutting instrument (21%). Physical force or the threat of physical harm accounted for the remaining incidents.

It appears that elderly victims are targeted in this type of crime. Of all victims of a residential robbery in 1999, 18% were aged 60 or over, compared with 3% of all violent crime victims.

### Concluding remarks on "home invasion"

Based on the analysis of available data, it appears as though the number of "home invasions" may actually have declined over the past five years. However, until such time as there is a uniform definition of a "home invasion" and more police services begin collecting these data, it is going to continue to be difficult to provide definitive information for this type of crime.

## Break & Enters – Geographical Comparisons

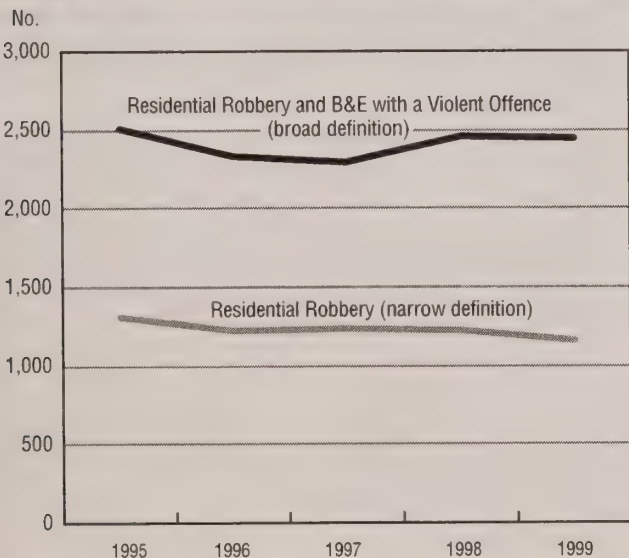
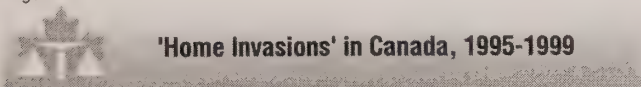
### Provincial/territorial

Similar to the pattern for most property crimes, total B&E rates were generally higher in the west and lower in the east according to police-reported UCR data. The three territories all had B&E rates higher than any of the provinces (Figure 3). In 1999, Saskatchewan reported the highest rate among the provinces (1,641 B&Es per 100,000 population), followed by British Columbia (1,422), Manitoba (1,330) and Quebec (1,157). The lowest rates were reported in Prince Edward Island (520), New Brunswick (725), Newfoundland (800) and Ontario (803).

All provinces and territories have shown decreases in their B&E rates over the past five years, except Newfoundland (+10%) and Nova Scotia (+3%). The largest drops have been seen in Prince Edward Island (-32%), Ontario (-27%), British Columbia (-26%) and Manitoba (-26%) (Table 2).

In terms of residential B&Es only, Saskatchewan was still the highest among the provinces (rate of 969 per 100,000 population); however, Quebec was second highest (856) in

Figure 2



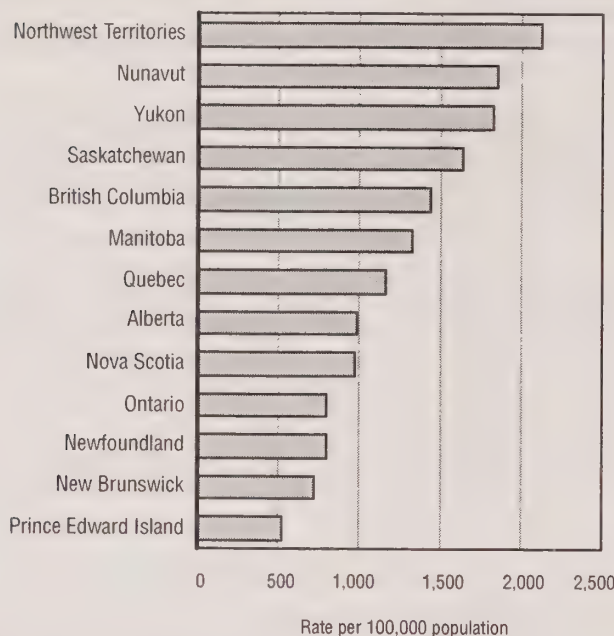
**Note:** Based on a non-representative sample of 106 police services representing 41% of the national volume of crime.

**Source:** Incident-based UCR (UCR2) Survey Trend Database, Canadian Centre for Justice Statistics



Figure 3

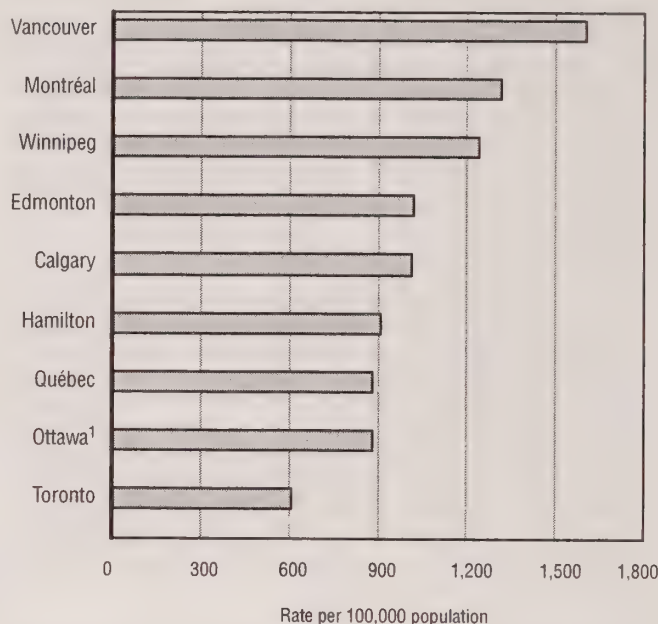
### Break and Enter by province/territory, 1999



Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics.

Figure 4

### Breaking and Entering, Census Metropolitan Areas with Populations of 500,000 and over, 1999



<sup>1</sup> Represents Ontario portion of Ottawa-Hull CMA.

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics.

1999 (Table 3). Similar to total B&Es, the lowest rates were found in Prince Edward Island (192) and New Brunswick (418). Although Yukon and the Northwest Territories had the highest residential B&E rates, Nunavut's rate (695) was actually lower than Saskatchewan (969), Quebec (856), British Columbia (820) and Manitoba (779).

According to data from the GSS in 1999, British Columbia had the highest rate of victimization for residential B&Es (71 per 1,000 households), followed by Saskatchewan (58). The lowest victimization rate was in Newfoundland (30).

For business B&Es, the pattern from police-reported data was very similar to that for total B&Es, with the exception that Prince Edward Island's rate was higher than the rest of the Atlantic provinces as well as that of Ontario.

### Census Metropolitan Areas

Among Canada's nine largest census metropolitan areas<sup>5</sup> (CMAs) with populations over 500,000 Vancouver reported the highest rate in 1999 with 1,601 total B&Es per 100,000 population, followed by Montréal (1,312) and Winnipeg (1,235). The lowest rates were reported in Toronto (612), Ottawa (883) and Québec (883) (Figure 4).

Total break and enters decreased in all nine of these areas between 1998 and 1999. Over the last five years the B&E

rate has also declined in all nine CMAs, ranging from a 4% decrease in Hamilton to a 40% decline in Ottawa (Table 4).

In terms of just residential B&Es, Montréal's rate was highest, with Toronto once again being the lowest. For business B&Es, Vancouver was highest, with Hamilton and Quebec having the lowest rates.

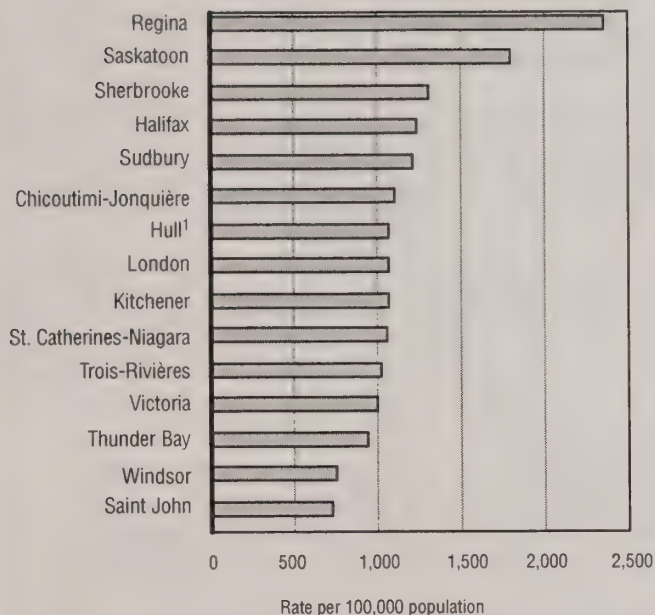
Among the remaining 15 CMAs with populations over 100,000 (data for St. John's was not available for 1999), Regina (2,361) and Saskatoon (1,799) had the highest total B&E rates, and Windsor (721) and Saint John (754) the lowest (Figure 5). This pattern was virtually the same for residential B&Es, with the exception of Thunder Bay having the lowest rate. For business B&Es, Hull reported the lowest rate.

All these CMAs reported a decrease in their total B&E rate in 1999 with the exception of a 7% increase in Saint John (Table 5). Over the last five years, the B&E rate has declined in 13 of these CMAs, with the largest declines seen in Thunder Bay (-48%), Sudbury (-34%), Sherbrooke (-34%) and Trois Rivières (-34%). The largest increase in recent years has been in St. John's, where the B&E rate has increased 44% between 1995 and 1998 (1999 data were not available).

<sup>5</sup> A CMA represents an area with a large urban core (over 100,000 population) plus adjacent urban and rural areas that have a high degree of economic and social integration.

Figure 5

### Breaking and Entering, Census Metropolitan Areas with Populations of 100,000 to 500,000, 1999



¹ Represents Québec portion of Ottawa-Hull CMA.

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics.

## Characteristics of B&E Incidents

### Risk factors

The GSS allows the identification of various risk factors associated with being the victim of a crime. In the case of B&Es, the survey found that households located in urban areas were much more likely to be victimized (rate of 52 per 1,000 homes) than households in rural areas (32 per 1,000 homes) in 1999.

Households with higher incomes were also at greater risk than those with lower incomes. In 1999, households with an income greater than \$60,000 reported the highest rates (58 B&Es per 1,000 homes) compared with rates of between 50 and 53 for all other income categories.

The type of household also influences the risk of B&E. For example, rates were highest for a semi-detached, row or duplex home (53 B&Es per 1,000 homes) compared to an apartment (51) or detached house (48). Rates were also higher for those who rented their home (60 B&Es per 1,000 homes) than for those who owned (44).

### Type of property stolen

According to police-reported data, property was stolen in 82% of break-ins in 1999. In addition to stolen property, property

was also reported as being damaged in 80% of B&Es. According to the GSS, the median value of items stolen was \$800 and \$200 for property damaged. Most B&Es occurred in the summer months, possibly because many homeowners are away from their residence on vacation. The lowest period for B&Es was from January to May.

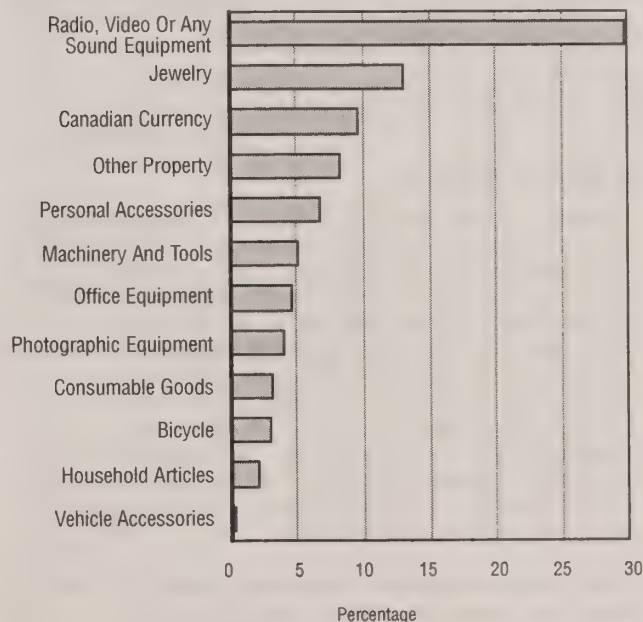
Data from both the UCR2 survey (police-reported) and the GSS (victim-reported) show that the most common type of property stolen from a residence was electronic equipment (eg. televisions, VCRs and stereos), followed by jewelry and cash (Figure 6a and 6b).

For businesses, consumable goods such as liquor and cigarettes were most frequently stolen, followed by cash, machinery and tools, and office equipment.

According to the Insurance Information Centre of Canada<sup>6</sup>, the average claim by home-owners and tenants for losses due to B&E amounted to \$4,364 in 1998-99. For business claims the average claim was slightly higher (\$4,456). In total, property losses associated with B&Es cost the insurance industry about \$366 million in 1998-99.

Figure 6a

### Type of Property Stolen, Residential Break and Enter, 1999



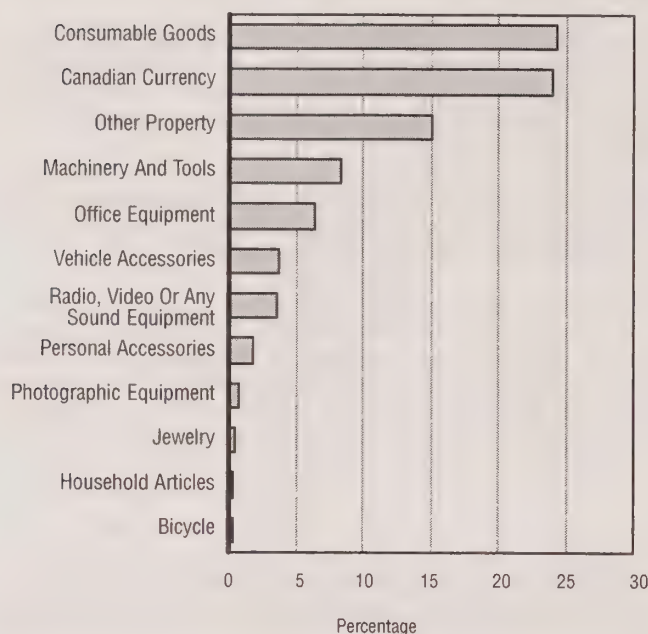
Source: Incident-based Crime Reporting (UCR2) Survey, Canadian Centre for Justice Statistics. Non-representative sample of 164 police services representing 46% of the national volume of crime.

<sup>6</sup> Members of the Insurance Information Centre of Canada represent about 80% of the total insurance industry. The data provided here are based on the fiscal year April 1, 1998 to March 31, 1999.



Figure 6b

### Type of Property Stolen, Business Break and Enter, 1999



Source: Incident-based Crime Reporting (UCR2) Survey, Canadian Centre for Justice Statistics. Non-representative sample of 164 police services representing 46% of the national volume of crime.

### Reporting to police

According to the 1999 GSS, 62% of B&E incidents were reported to police, the highest reporting rate of any of the eight offences measured by this survey. The next highest reporting rates were for motor vehicle/parts theft (60%) and robbery (46%). Of the B&E incidents that were reported to police, three-quarters were reported by the victim and one-quarter by other means, such as by a neighbour.

Of those victims who reported the incident to police, 83% did so because they felt it was their duty, 80% did so to catch and punish the offender, 52% did so to file an official report for insurance or compensation purposes, and 44% did so to "stop the incident" or "receive protection".

Of those victims who did not report the incident to police, the most common reasons for not reporting were: the incident was not important enough (60%), the police couldn't do anything (59%), and it was dealt with in another way (35%). One reason for the decline in reporting may be an increase in insurance deductible amounts. Insurance industry data indicate that in 1994, the deductible amount for the majority (52%) of homeowner policies was \$200. By 1998, the majority (53%) of homeowner policies had a deductible amount of \$500<sup>7</sup>.

Of the victims that reported the break-in to police, the majority (67%) were satisfied with the actions taken by the police: 36% were very satisfied and 31% were somewhat satisfied. B&E victims also reported that the police filed a report and/or conducted an investigation in 81% of the incidents that were reported.

### Impact of B&Es on victims

According to the GSS, 25% of B&E victims reported that they found it difficult or impossible to carry out their main activity for all/most of the day as a result of the incident. Despite being a victim of a break-in, two-thirds of B&E victims were not worried at all when home alone in the evening.

Almost six in ten (59%) of B&E victims indicated an interest in victim-offender mediation programs, compared to 46% of robbery victims, 37% of assault victims, and 25% of sexual assault victims. These programs represent a non-traditional approach to criminal justice, as the victim and offender meet face-to-face with a skilled mediator in attendance to discuss an appropriate way to deal with the offender.

### Safety measures in the home

Over the years, more and more Canadians have taken measures to secure their home, particularly in the installation of burglar alarms. The GSS asks respondents about precautionary measures that they take to make themselves feel safer at home. Over the past six years, the proportion of Canadians who have ever installed burglar alarms has doubled, from 15% in 1993 to 31% in 1999. This increase may have contributed to the decline in residential B&Es seen over this time period. The proportion who have ever installed new locks has remained about the same at around 33%.

### Police reaction to B&Es

#### Clearance rates

As with most property offences, relatively few B&E incidents are solved by police through the identification of one or more accused persons. In 1999, 16% of B&Es were cleared by police (17% of residential B&Es, 16% of business), compared to 12% of motor vehicle thefts and 20% of other thefts. Of all B&E incidents cleared by police in 1999, almost two-thirds were cleared by a charge being laid. The remaining third were cleared "otherwise", primarily due to the accused already being involved in other related crimes. Other reasons for an incident being cleared "otherwise" include the use of formal or informal diversion by police, the alleged offender being under 12 years of age, etc.

#### Persons charged

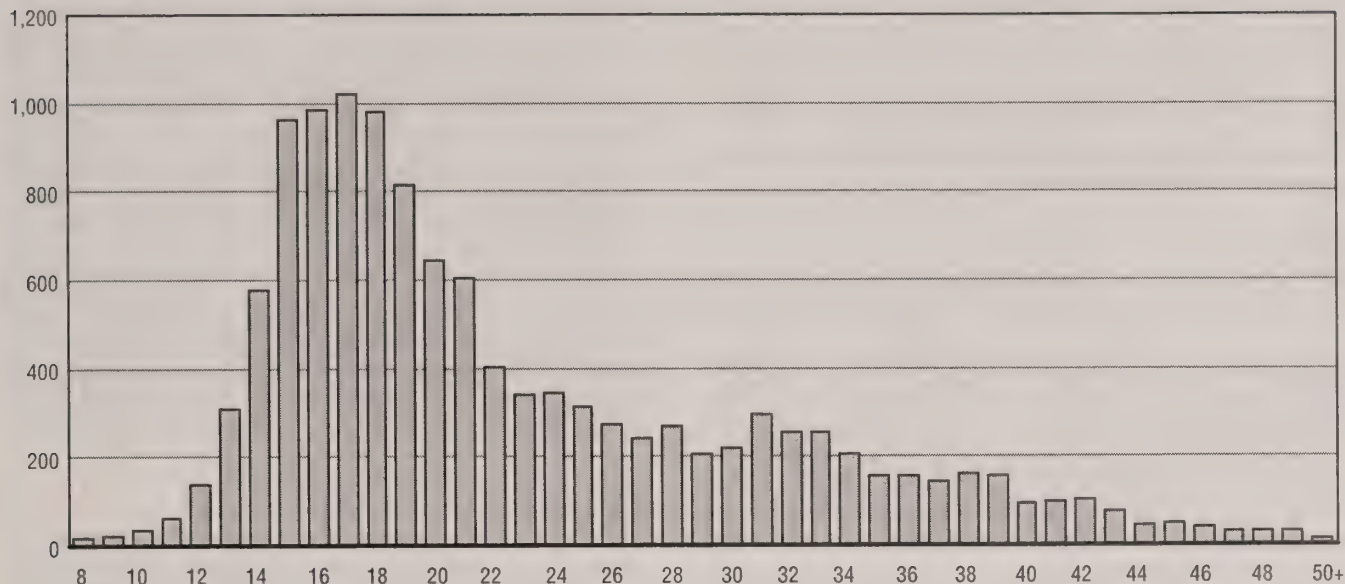
Youths tend to have a higher involvement in B&E incidents than in most other types of offences. In 1999, more than one

<sup>7</sup> This information was provided by the Insurance Information Centre of Canada (IICC). The IICC member companies represent approximately 64% of the industry.

Figure 7

### Age Specific Rates of Persons Accused of Breaking and Entering, 1999

Rate Per 100,000



Source: Incident-based Crime Reporting (UCR2) Survey, Canadian Centre for Justice Statistics. Non-representative sample of 164 police services representing 46% of the national volume of crime.

in three (38%) persons charged with a B&E offence were youths aged 12-17. Of all major offences, only arson (45% of persons charged were youths) and motor vehicle theft (40%) had a larger proportion of youth involvement. By comparison, youths represented 16% of all persons charged with a violent offence in 1999, 27% of all property offences, and 21% of all *Criminal Code* offences, excluding traffic offences.

Figure 7 shows individual ages for persons accused (those charged as well as those cleared "otherwise" by police) of committing a B&E offence. This graph shows that 15-19 year-olds had the highest rates for committing B&Es in 1999.

Males represented 92% of all persons charged with B&E. A greater proportion of female youths were charged with a B&E offence than female adults. Of all youths aged 12-17 charged with a B&E offence in 1999, 10% were female, compared to 6% of all adults charged (Table 6).

#### Police initiatives to reduce B&E

Decreases in rates of break and enter offences in some cities may be the result of specific initiatives aimed at reducing break and enter. Police argue that it is usually a small number of offenders who are responsible for the majority of break and enter offences. Therefore, to reduce break and enter, some police services have set up initiatives to identify and target repeat offenders: the establishment of special response units; the use of technology to improve communication, crime

analysis and investigation; improved communication with victims and potential witnesses; and, changes in case management strategies.

#### Courts data

##### Youth court

Similar to the decline seen in police-reported crime data, the rate of break and enter cases per 10,000 youths brought to youth court has declined by 32% since 1992-93, the first year that all jurisdictions supplied data to the Youth Court Survey.

During fiscal year 1998-99, 11,613 cases were brought to youth court where a break and enter offence was the most serious charge, accounting for 11% of all cases. Three-quarters (78%) of these cases resulted in a finding of guilt. B&E cases were dealt with more harshly by the courts than most other property offences and even some violent offences. This may be the result of a large proportion of repeat offenders involved in break and enter offences. For example, of those found guilty of a B&E offence, 38% were sentenced to custody, compared to 31% of all property cases and 25% of those found guilty of assault. Just over half (55%) of B&E cases received probation as their most serious sentence (Table 7). The proportion of young offenders sentenced to custody for B&E has remained very stable during the 1990s at around 38%.



For the purposes of examining recidivism in youth court, "repeat offenders" are defined as those offenders having one or more prior convictions in youth court. A "persistent offender" is a sub-set of repeat offenders having three or more prior convictions. "Repeat" offenders accounted for almost half (43%) of B&E cases in youth court, and "persistent" offenders accounted for 13% of B&E cases. Not surprisingly, both persistent and repeat offenders were treated more harshly by youth courts than first-time offenders. While 80% of "persistent" offenders convicted of B&E received custody, so did 58% of "repeat" offenders, and 17% of first-time offenders.

The majority (6 in 10) of custodial sentences for B&E in youth court were for less than 3 months.

### Adult court

In 1998-99, data from adult criminal courts was available from seven provinces and two territories<sup>8</sup>, representing about 80% of the national caseload. B&E cases accounted for 4% of adult provincial court caseload. Of the almost 10,000 cases of break and enter resulting in a finding of guilt in 1998-99, 63% were sentenced to custody, a much higher proportion than for youths (Table 9). The use of prison for those convicted of B&E has decreased slightly from 68% in 1994-95.

The median sentence length for adults convicted of a B&E offence was 6 months. One in ten offenders received a sentence of two years or more.

### Public perceptions of sentencing

To assess public attitudes towards the use of prison and alternatives to incarceration, the GSS randomly assigned different crime-scenarios from which respondents were asked to choose a sentencing preference, either "prison" or "non-prison" (see Box for examples). These scenarios included a violent offence (assault) and a property offence (break and enter), both for first-time and for repeat offenders, and for youth and adult offenders.

The results indicate that, in general, Canadians prefer community-based sanctions for first-time offenders. For repeat offenders, non-prison is still preferred for young offenders, while prison is preferred for adult offenders. For example, the survey estimates that 68% of Canadians favour a prison sentence for an adult convicted of a repeat B&E, compared to 44% for a youth repeat offender. For those convicted of a B&E for the first time, 37% of Canadians favour a prison sentence for an adult offender, compared to 21% for a youth.

When these public preferences are compared with actual court dispositions for B&E cases, in general, the courts seem to be imposing sentences as harsh, or even slightly harsher, than the public's preference. For adult offenders, just less than two-thirds (63%) of those convicted of B&E were sentenced to custody by the courts (which includes both first-time and repeat offenders), similar to the public's preference for a repeat offender (68%), but much higher than the public's preference for a first-time offender (37%).

For young offenders, 17% of first-time offenders received a custody sentence for B&E, similar to the public preference of 21%. For repeat offenders, 58% of youths were sentenced to custody for B&E, compared to the public preference of 44%.

#### The following are hypothetical break and enter situations that were presented to GSS survey respondents:

If an **adult offender** is found guilty of breaking and entering into a house when the owners are on vacation and taking goods worth \$400 and this is the offender's **first offence** which sentence would you consider the most appropriate?...

If a **young offender** is found guilty of breaking and entering into a house when the owners are on vacation and taking goods worth \$400 and this is the offender's **first offence** which sentence would you consider the most appropriate?...

If an **adult offender** is found guilty of breaking and entering into a house when the owners are on vacation and taking goods worth \$400 and the offender was found guilty of a **similar offence once before**, which sentence would you consider the most appropriate?...

If a **young offender** is found guilty of breaking and entering into a house when the owners are on vacation and taking goods worth \$400 and the offender was found guilty of a **similar offence once before**, which sentence would you consider the most appropriate?...

## Methodology

**Uniform Crime Reporting (UCR) Aggregate Survey** - The Canadian Centre for Justice Statistics, in co-operation with the policing community, collects police-reported crime statistics through the UCR Survey. The UCR survey produces a continuous historical record of crime and traffic statistics reported by every police agency in Canada since 1962. UCR data reflect reported crime that has been substantiated through police investigation. Information collected by the survey includes the number of criminal incidents and information on persons charged. When an incident involves more than one offence, the incident is counted according to the most serious offence. For greater detail on survey methodology, please refer to the publication: Canadian Crime Statistics 85-205-XPE.

**Uniform Crime Reporting (UCR2) Micro-data Survey** - In the late 1980s, the UCR survey was re-developed to expand the information collected. This new survey, called the UCR2 Survey, is a micro-data survey that allows detailed examinations of accused and victim characteristics, as well as characteristics of the incident itself. In 1999, detailed data were collected from 164 services in 7 provinces, representing 46% of the national volume of reported actual *Criminal Code* incidents. The incidents reported by these agencies are distributed as follows: 38% from Quebec, 35% from Ontario, 12% from Alberta, 7% from British Columbia, 6% from Saskatchewan, 1% from New Brunswick and 1% from Newfoundland. Other than Quebec, the data are primarily from urban police departments. The reader is cautioned that these data are not geographically representative at the national level.

<sup>8</sup> Data come from the Adult Criminal Court Survey (ACCS). In 1998-99, this survey received information on cases disposed in the provincial/territorial courts of Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon, and the Northwest Territories (including Nunavut).

### **Uniform Crime Reporting Micro-data Trend (UCR2 Trend)**

**Database** - This database represents a sub-set of the aforementioned UCR2 database, including only those respondents who have been reporting to the survey for the last five years. This permits the analysis of trends in the characteristics of criminal incidents, such as weapon use and victim/accused relationships. This file includes 106 police services who have reported to the UCR2 survey continually since 1995. These respondents accounted for 41% of the national volume of crime in 1999. This group of respondents will remain unchanged in the Trend Database until such time as large police services such as the RCMP and OPP have been providing at least five years of data to the UCR2 Survey, at which point they will become part of this trend database.

**The General Social Survey (GSS)** - In 1999, the victimization cycle of Statistics Canada's GSS was conducted for a third time. Previous cycles were conducted in 1988 and 1993. Individuals 15 years of age and older were asked about their experiences with crime and their opinions concerning the justice system. The GSS measures victimization for eight types of crimes, according to *Criminal Code* definitions.

Households in the 10 provinces were selected using random digit dialing techniques. Once a household was chosen, any individual 15 years or older was randomly selected to respond to the survey. Households were excluded from the survey when they had no telephone or when the chosen respondent could not speak English or French. Also excluded were individuals living in institutions. The sample size in 1999 was 25,876 persons, up significantly from 10,000 in the previous two cycles.

For more detailed information on this survey, refer to Juristat Catalogue No. 85-002-XIE Vol.20 No.10 "Criminal Victimization in Canada".

**Youth Court Survey (YCS)** - The survey includes *Criminal Code* and other federal statute offences heard in youth court for youths aged 12 to 17 at the time of the offence. The unit of analysis used for the YCS is the "case", which is defined as one or more charges laid against a young person and pre-

sented in a youth court on the same date. Case counts are categorized by the most serious charge, most serious decision and most serious disposition. Consequently, less serious charges, decisions and dispositions are under-represented.

Analysis on youth recidivism excludes data from Nova Scotia. The definition of a repeat offender in this report is a young person who was found guilty of B&E (most serious charge) during 1998-99 and had been previously convicted in a youth court since 1989-90 of at least one other federal statute charge. Cases were matched using the youth's identification code, sex, date of birth and province of conviction. It should be noted that previous convictions for violations under the Young Offenders Act and administrative offences under the *Criminal Code* (e.g. failure to appear, failure to comply with a probation order) are excluded from this analysis in order to focus the analysis on those instances where a young offender commits another offence independent of the administrative process.

These data on recidivism are a conservative estimate. Variations in youth court coding practices, the undetected use of aliases, and the movement of offenders among provinces and territories may have resulted in some cases of repeat offenders being captured as first-time offenders. As well, these data do not consider any previous participation in Alternative Measures or any other court diversion program.

For more detailed information on this survey, refer to Publication 85F0030XIE.

**Adult Criminal Court Survey (ACCS)** - The ACCS follows a similar pattern as the YCS in defining cases. Some limitations on survey coverage should be noted. First, three provinces (New Brunswick, Manitoba and British Columbia) are not included in the survey at this time. Second, information from Quebec's 140 municipal courts (which account for approximately 20% of federal statute charges in that province) are not yet collected. Finally, with the exception of Alberta, no data are provided from the Superior Courts.

For more detailed information on this survey, refer to Juristat Catalogue No. 85-002-XIE Vol.20 No.1.





Table 2

## Breaking and Entering by Province/Territory, 1994-1999

		1994	1995	1996	1997	1998 <sup>r</sup>	1999	Percent change in rate 1994-1999 <sup>3</sup>
<b>Newfoundland</b>								
	number	4,185	3,924	4,223	3,867	4,479	4,328	
	rate <sup>1</sup>	728	691	753	698	821	800	9.9
<b>Prince Edward Island</b>								
	number	1,023	1,094	1,094	895	700	717	
	rate <sup>1</sup>	765	812	803	654	511	520	-32.1
<b>Nova Scotia</b>								
	number	8,774	8,836	9,523	9,292	9,118	9,139	
	rate <sup>1</sup>	947	952	1,023	994	974	972	2.7
<b>New Brunswick</b>								
	number	6,485	6,696	6,886	6,111	5,886	5,475	
	rate <sup>1</sup>	864	891	914	810	781	725	-16.0
<b>Quebec</b>								
	number	103,326	102,874	106,524	103,866	98,065	84,972	
	rate <sup>1</sup>	1,434	1,421	1,464	1,422	1,339	1,157	-19.3
<b>Ontario</b>								
	number	118,417	123,195	120,824	108,096	101,028	92,485	
	rate <sup>1</sup>	1,094	1,124	1,088	961	887	803	-26.6
<b>Manitoba</b>								
	number	20,285	16,606	16,711	16,837	16,049	15,209	
	rate <sup>1</sup>	1,805	1,470	1,473	1,481	1,410	1,330	-26.3
<b>Saskatchewan</b>								
	number	17,324	18,114	18,442	18,821	17,781	16,869	
	rate <sup>1</sup>	1,716	1,786	1,809	1,842	1,734	1,641	-4.3
<b>Alberta</b>								
	number	33,781	31,003	31,467	31,166	29,960	29,287	
	rate <sup>1</sup>	1,249	1,132	1,132	1,098	1,031	988	-20.9
<b>British Columbia</b>								
	number	71,845	75,688	78,644	71,945	65,457	58,026	
	rate <sup>1</sup>	1,951	2,000	2,026	1,817	1,637	1,442	-26.1
<b>Yukon</b>								
	number	573	776	760	773	608	560	
	rate <sup>1</sup>	1,907	2,512	2,380	2,398	1,925	1,828	-4.1
<b>Northwest Territories<sup>2</sup></b>								
	number	1,849	1,978	1,959	1,647	1,643	882	
	rate <sup>1</sup>	2,838	2,971	2,899	2,432	2,434	2,120	-25.3
<b>Nunavut<sup>2</sup></b>								
	number	..	..	..	..	..	499	
	rate <sup>1</sup>	..	..	..	..	..	1,845	..
<b>Canada</b>								
	number	387,867	390,784	397,057	373,316	350,774	318,448	
	rate <sup>1</sup>	1,336	1,331	1,338	1,245	1,160	1,044	-21.8

.. Data not applicable.

<sup>r</sup> revised.

<sup>1</sup> Rates per 100,000 population. Population estimates provided by Statistics Canada, Census and Demographic Statistics, Demography Division.

<sup>2</sup> Before 1999, the Northwest Territories included Nunavut.

<sup>3</sup> Percent changes based on non-rounded rates.

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.



Table 3

## Residential and Business Break and Enter Offences by Province/Territory, 1999

	Residential B&E				Business B&E			
	Number	Rate <sup>1</sup>	Percent change in rate 1998-1999 <sup>2</sup>	Percent change in rate 1994-1999 <sup>2</sup>	Number	Rate <sup>1</sup>	Percent change in rate 1998-1999 <sup>2</sup>	Percent change in rate 1994-1999 <sup>2</sup>
Newfoundland	2,539	469	-2.2	17.6	1,255	232	0.4	20.8
Prince Edward Island	265	192	-30.7	-44.0	334	242	48.5	-23.4
Nova Scotia	5,436	578	-0.3	7.7	2,079	221	0.6	6.4
New Brunswick	3,156	418	-4.3	-11.1	1,456	193	-8.6	-17.6
Quebec	62,900	856	-14.9	-7.0	20,269	276	-9.2	-26.2
Ontario	56,180	488	-9.8	-22.4	25,584	222	-8.9	-35.2
Manitoba	8,907	779	-11.7	-23.6	3,830	335	2.4	-17.3
Saskatchewan	9,960	969	-9.3	-3.4	4,290	417	0.1	-2.0
Alberta	14,525	490	-2.4	-30.3	9,369	316	-12.5	-14.1
British Columbia	33,004	820	-13.1	-24.1	14,686	365	-18.9	-37.3
Yukon	311	1,015	-10.2	1.3	195	637	8.1	21.7
Northwest Territories	410	985	1.9	-22.9	352	846	-27.9	-24.9
Nunavut	188	695	..	..	251	928	..	..
Canada	197,781	649	-11.4	-17.1	83,950	275	-10.0	-27.5

.. Data not applicable.

<sup>1</sup> Rates per 100,000 population. Population estimates provided by Statistics Canada, Census and Demographic Statistics, Demography Division.<sup>2</sup> Percentage changes based on non-rounded rates.

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Table 4

## Break and Enter Offences by Census Metropolitan Area (CMA), 1999<sup>1</sup>

CMA	Population	Number	Rate <sup>2</sup>	Percent change in rate 1998-1999*	Percent change in rate 1994-1999*
Population 500,000 and over					
Vancouver	2,016,643	32,282	1,601	-14.6	-30.7
Montréal	3,438,532	45,127	1,312	-11.1	-13.3
Winnipeg	677,625	8,372	1,235	-10.8	-38.1
Edmonton	929,145	9,456	1,018	-6.1	-22.0
Calgary	933,748	9,464	1,014	-7.0	-30.0
Hamilton	665,169	6,072	913	-1.8	-4.4
Québec	688,085	6,078	883	-22.7	-34.7
Ottawa <sup>3</sup>	809,034	7,144	883	-11.9	-40.1
Toronto	4,680,250	28,637	612	-7.9	-29.4
Population 250,000 to 499,999					
Halifax	352,594	4,353	1,235	-0.3	-1.3
Hull <sup>4</sup>	255,987	2,750	1,074	-20.7	-18.6
London	418,660	4,497	1,074	15.7	-15.4
St.Catharines-Niagara <sup>5</sup>	422,607	4,480	1,060	-9.1	-28.4
Kitchener <sup>5</sup>	439,107	4,517	1,029	-6.3	4.0
Victoria	316,195	3,169	1,002	-4.9	-25.7
Windsor	299,966	2,163	721	-18.8	-11.0
Population 100,000 to 249,999					
Regina	199,163	4,702	2,361	-7.7	-21.2
Saskatoon	231,403	4,162	1,799	-0.9	4.7
Sherbrooke	153,140	2,000	1,306	-10.5	-33.5
Sudbury	160,357	1,943	1,212	-15.1	-34.4
Chicoutimi-Jonquière <sup>5</sup>	147,021	1,627	1,107	-28.7	-25.5
Trois-Rivières	141,751	1,512	1,067	-17.6	-33.9
Thunder Bay	126,649	1,189	939	-18.3	-47.6
Saint John <sup>5</sup>	146,267	1,103	754	7.0	-22.0
<b>Canada</b>	<b>30,491,294</b>	<b>318,448</b>	<b>1,044</b>	<b>-9.9</b>	<b>-21.8</b>

\* Percent change based on unrounded rates.

<sup>1</sup> The Oshawa Census Metropolitan Area (CMA) is excluded from this table due to the incongruity between the police agency jurisdictional boundaries and the CMA boundaries. Data for St. John's CMA were not available for 1999.

<sup>2</sup> Rates are calculated per 100,000 population. The population estimates are from the Annual Demographic Statistics, 1999 report, produced by Demography Division, Statistics Canada. Populations as of July 1st: updated postcensal estimates for 1999.

<sup>3</sup> Represents Ontario portion of the Ottawa-Hull CMA.

<sup>4</sup> Represents Québec portion of Ottawa-Hull CMA.

<sup>5</sup> Populations were adjusted to follow policing boundaries.

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.



Table 5

Residential and Business Break and Enter Offences by Census Metropolitan Area, 1999<sup>1</sup>

	Residential B&E				Business B&E			
	Number	Rate <sup>2</sup>	Percent change in rate 1998-1999 <sup>3</sup>	Percent change in rate 1994-1999 <sup>3</sup>	Number	Rate <sup>2</sup>	Percent change in rate 1998-1999 <sup>3</sup>	Percent change in rate 1994-1999 <sup>3</sup>
Population 500,000 and over								
Vancouver	18,259	905	-15.9	-29.8	8,338	413	-22.6	-40.9
Montréal	33,547	976	-12.8	-1.8	11,201	326	-5.0	-25.1
Winnipeg	5,266	777	-15.4	-32.9	1,925	284	-3.0	-27.0
Calgary	5,424	581	7.4	-16.9	2,969	318	-29.0	-34.0
Edmonton	4,333	466	-9.6	-49.1	2,740	295	-11.4	7.2
Hamilton	3,512	528	-6.4	-5.2	1,048	158	0.4	-26.7
Québec	4,530	658	-25.6	-21.3	1,234	179	-12.9	-49.6
Ottawa <sup>4</sup>	5,089	629	-9.9	-26.2	1,721	213	-22.6	-62.1
Toronto	17,355	371	-8.0	-23.7	10,214	218	-8.7	-37.5
Population 250,000 to 499,999								
Halifax	2,733	775	-4.3	1.9	1,060	301	8.9	13.0
Hull <sup>5</sup>	1,974	771	-19.8	-5.1	477	186	-16.8	-33.2
London	2,956	706	20.9	-12.5	1,161	277	7.1	-27.4
St. Catharines-Niagara <sup>6</sup>	2,271	537	-15.8	-36.6	1,526	361	0.6	-20.5
Kitchener <sup>6</sup>	2,675	609	-8.0	2.9	1,399	319	-11.5	2.8
Victoria	1,956	619	-2.9	-22.0	732	232	-22.1	-26.7
Windsor	1,409	470	-13.5	-3.5	640	213	-20.4	-1.7
Population 100,000 to 249,999								
Regina	3,171	1,592	-13.7	-22.0	1,063	534	10.3	-12.4
Saskatoon	2,441	1,055	-18.0	-6.4	1,070	462	21.0	30.3
Sherbrooke	1,486	970	-13.4	-28.1	496	324	2.5	-35.1
Sudbury	1,104	688	-10.4	-31.9	354	221	-25.2	-31.2
Chicoutimi-Jonquière <sup>6</sup>	1,215	826	-30.1	-13.6	389	265	-24.4	-21.7
Trois-Rivières	1,137	802	-13.9	-28.6	352	248	-28.4	-30.8
Thunder Bay	568	448	-25.9	-53.1	258	204	36.7	-37.3
Saint John <sup>6</sup>	713	487	8.3	-16.0	282	193	12.1	-30.4
<b>Canada</b>	<b>197,781</b>	<b>649</b>	<b>-11.4</b>	<b>-17.1</b>	<b>83,950</b>	<b>275</b>	<b>-10.1</b>	<b>-27.5</b>

<sup>1</sup> The Oshawa Census Metropolitan Area (CMA) is excluded from this table due to the incongruity between the police agency jurisdictional boundaries and the CMA boundaries. Data for St. John's CMA were not available for 1999.

<sup>2</sup> Rates are calculated per 100,000 population. The population estimates are from the Annual Demographic Statistics, 1999 report, produced by Demography Division, Statistics Canada. Populations as of July 1st: updated postcensal estimates for 1999.

<sup>3</sup> Percentage changes based on non-rounded rates.

<sup>4</sup> Represents Ontario portion of Ottawa-Hull CMA.

<sup>5</sup> Represents Québec portion of Ottawa-Hull CMA.

<sup>6</sup> Populations were adjusted to follow policing boundaries.

**Source:** Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Table 6

## Persons charged with breaking and entering<sup>1</sup>, Canada, 1989-1999

Year	Total Persons Charged	Adults (18 years and older)			Youths (12 to 17 years)			Males			Females		
		Number	% change	Percent of total	Number	% change	Percent of total	Number	% change	Percent of total	Number	% change	Percent of total
1989	55,297	33,142	-11.3	59.9	22,155	-7.3	40.1	52,340	-10.1	94.7	2,957	-2.6	5.3
1990	59,558	35,492	7.1	59.6	24,066	8.6	40.4	56,284	7.5	94.5	3,274	10.7	5.5
1991	66,120	39,219	10.5	59.3	26,901	11.8	40.7	62,622	11.3	94.7	3,498	6.8	5.3
1992	62,976	38,229	-2.5	60.7	24,747	-8.0	39.3	59,323	-5.3	94.2	3,653	4.4	5.8
1993	55,570	33,623	-12.0	60.5	21,947	-11.3	39.5	52,310	-11.8	94.1	3,260	-10.8	5.9
1994	50,099	30,107	-10.5	60.1	19,992	-8.9	39.9	46,921	-10.3	93.7	3,178	-2.5	6.3
1995	46,719	28,065	-6.8	60.1	18,654	-6.7	39.9	43,432	-7.4	93.0	3,287	3.4	7.0
1996	46,805	28,273	0.7	60.4	18,532	-0.7	39.6	43,484	0.1	92.9	3,321	1.0	7.1
1997	42,875	25,783	-8.8	60.1	17,092	-7.8	39.9	39,639	-8.8	92.5	3,236	-2.6	7.5
1998	40,541	24,534	-4.8	60.5	16,007	-6.3	39.5	37,505	-5.4	92.5	3,036	-6.2	7.5
1999	35,765	22,296	-9.1	62.3	13,469	-15.9	37.7	33,008	-12.0	92.3	2,757	-9.2	7.7

<sup>1</sup> Reflects the number of persons charged in incidents where the most serious offence was breaking and entering.

Source: Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Table 7

## Number of youth court cases of breaking and entering<sup>1</sup>, by most significant disposition, 1994/95 to 1998/99

	Total		Secure custody		Open custody		Probation		Fine		Community Service		Absolute discharge		Other	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
1994-1995	10,199	100	1,987	19.5	2,288	22.4	5,325	52.2	83	0.8	353	3.5	88	0.9	39	0.4
1995-1996	9,463	100	1,711	18.1	2,010	21.2	5,253	55.5	59	0.6	283	3.0	59	0.6	47	0.5
1996-1997	9,783	100	1,828	18.7	2,062	21.1	5,396	55.2	64	0.7	289	3.0	41	0.4	71	0.7
1997-1998	9,782	100	1,794	18.3	2,028	20.7	5,240	53.6	77	0.8	402	4.1	37	0.4	71	0.7
1998-1999	8,959	100	1,611	18.0	1,804	20.1	4,889	54.6	62	0.7	344	3.8	44	0.5	67	0.7

<sup>1</sup> most significant charge.

Source: Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.



Table 8

**Youth court cases with convictions in 1998-99 by most significant disposition, Canada**

		Cases of B&E <sup>1</sup>					Cases involving all other property crimes <sup>1</sup> (excluding B&E)				
		First-time offender	1 Prior	2 Prior	3+ Prior	Total with priors	First-time offender	1 Prior	2 Prior	3+ Prior	Total with priors
Secure custody	Number	268	274	239	488	1,001	348	382	326	857	1,565
	%	6.4	18.5	31.0	51.1	31.2	4.0	10.4	19.2	38.7	20.6
Open custody	Number	435	360	227	274	861	466	545	376	509	1,430
	%	10.4	24.3	29.5	28.7	26.9	5.3	14.8	22.1	23.0	18.8
Probation	Number	3,066	730	273	167	1,170	5,956	1,961	718	574	3,253
	%	73.3	49.3	35.5	17.5	36.5	67.8	53.3	42.2	25.9	42.8
Other	Number	414	117	31	26	174	2,011	792	280	273	1,345
	%	9.9	7.9	4.0	2.7	5.4	22.9	21.5	16.5	12.3	17.7
Total <sup>2</sup> cases	Number	4,183	1,481	770	955	3,206	8,781	3,680	1,700	2,213	7,593
	%	100	100	100	100	100	100	100	100	100	100

<sup>1</sup> Where this offence is the most serious charge in a case.

<sup>2</sup> The number of total cases involving repeat offenders is less than the total number of cases with previous convictions in Table 7 for three reasons: these data exclude data from Nova Scotia; these data include cases where previous convictions were offences against the administration of justice; and, these data are calculated based on the date of disposition and not the date of first appearance in court, meaning that charges in more than one case may have been disposed on the same day.

Source: Youth Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Table 9

**Number of adult court cases of breaking and entering<sup>1,2</sup>, by most significant dispositions, 1994/95 to 1998/99**

	Total		Prison		Probation		Fine		Restitution		Other	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
1994-1995	8,805	100	6,000	68.1	2,657	30.2	110	1.2	17	0.2	21	0.2
1995-1996	9,656	100	6,571	68.1	2,925	30.3	114	1.2	22	0.2	24	0.2
1996-1997	10,619	100	6,666	62.8	3,608	34.0	211	2.0	14	0.1	120	1.1
1997-1998	10,284	100	6,252	60.8	3,616	35.2	203	2.0	49	0.5	164	1.6
1998-1999	9,789	100	6,175	63.1	3,060	31.3	177	1.8	36	0.4	341	3.5

<sup>1</sup> most significant charge.

<sup>2</sup> Data include cases disposed in the provincial/territorial courts of Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon, and the Northwest Territories (including Nunavut).

Source: Adult Criminal Courts Survey, Canadian Centre for Justice Statistics, Statistics Canada.

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Statistics Canada – Catalogue no. 85-002-XPE Vol. 21 no. 1

## CANADA'S SHELTERS FOR ABUSED WOMEN, 1999-2000

By Daisy Locke and Ruth Code\*

### HIGHLIGHTS

- In 1999-2000, 96,359 women and dependent children were admitted to 448 shelters for abused women across Canada. In comparison, 90,792 women and dependent children were admitted to 413 shelters in 1997-1998.
- In a snapshot taken on April 17, 2000, there were 5,351 residents in 464 shelters: 53% were women and 47% were dependent children.
- 81% (2,281) of women in shelters on April 17, 2000 were victims of abuse and the remainder were admitted for reasons other than abuse such as housing problems.
- On snapshot day, 55% of all women in shelters seeking refuge from abusive situations were admitted with children. Of those abused women who had children, the majority (73%) took them to the shelter. About three-quarters of the children were under 10 years old.
- On April 17, 2000, 163 women and 77 children departed before noon from 446 shelters across Canada. While 1 in 6 women left the shelter and returned to their spouse, the majority of women did not return to their spouse. More than 1 in 4 women (28%) left the shelter for new housing without their spouse, 12% went to stay with friends or relatives, 9% returned home without their spouse and 9% found other housing.
- On April 17, 2000, 89 shelters turned away 476 people: 254 women and 222 children.<sup>1</sup> More than 7 in 10 of these shelters (71%) turned women and children away because the shelter was full.
- The majority of shelters offer the following in-house services to women residents: individual short-term counselling (90%), advocacy (89%), specialized services for women aged 55 and older (84%), housing referral (82%) and parenting skills (75%).
- In 1999-2000, 67% of shelters provided group counselling, down slightly from 71% in 1997-1998. Similarly, the percentage of shelters that provided parenting skills decreased from 82% in 1997-1998 to 75% in 1999-2000. However, the percentage of shelters that provided a crisis telephone line and medical services rose from 60% to 64% and from 55% to 59% respectively.<sup>2</sup>
- Results from the 1999-2000 survey indicated a slight decrease from 1997-1998 in the percentage of shelters that provided individual counselling (69% versus 75% in 1997-1998), and programs for children who have witnessed or experienced abuse (51% versus 53% in 1997-1998).
- Since 1997-1998, there has been a 23% increase in the number of shelters with staff who communicate and provide services in languages other than English and French.
- Facilities reported providing an average of 43 outreach hours per week. Outreach work included supplying information, accompanying victims of abuse to court, and participating in drop-in centres.

\* Integration and Analysis Program

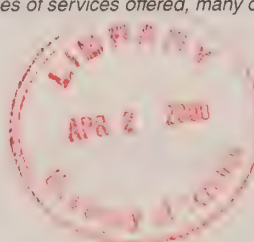
<sup>1</sup> A person may be turned away from more than one shelter on snapshot day.

<sup>2</sup> Where there have been slight increases or decreases in the various types of services offered, many of these changes may be explained by shifts or changes in the type of shelters responding to the survey.



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## INTRODUCTION

In the past thirty years, the issue of abuse within the family, particularly against women and children, has been the subject of increased public awareness and concern. Community groups and governments have worked to reduce and prevent the incidence of abuse, including physical and sexual abuse, threats, harassment and financial and psychological abuse. One measure taken to assist abused women and their children has been the development of a substantial system of shelters.

There are no shelters in Canada that provide residential services exclusively to adult male victims of family abuse. However, some shelters do provide some services to men abused by their family. For the first time, the 1999-2000 Transition Home Survey included questions designed to gather information on the use of these shelters by adult men.

Currently, shelters exist in every province and territory. From its inception in 1991-1992, the Transition Home Survey has gathered data on the characteristics of all residential agencies serving women victims of abuse and on the characteristics of women and children residents. The Transition Home Survey is distributed across Canada to all residential agencies serving women victims of family violence. Shelters that do not provide residential services to abused women are excluded from the survey.

The Transition Home Survey is a census survey of residential facilities conducted every 2 years. Questionnaires are mailed to every known shelter identified as providing residential services (shelter) to abused women in every province and territory. Information is collected on the characteristics of the facilities and the services provided during the previous 12 months. The survey also provides a one-day snapshot of the characteristics of women and children residing in shelters on a specific day. For the 1999-2000 survey, the snapshot day was April 17, 2000. Out of the 508 shelters contacted for the 1999-2000 survey, 467 or 92% responded to the survey (Table 1). Where possible, comparisons are made with the 1997-1998 survey cycle which had 430 shelters reporting for a 91% response rate. Further trend analysis will be available in the report *Family Violence in Canada: A Statistical Profile 2001*.

Table 1

Number of shelters operating and responding to the Transition Home Survey by province and territory, 1999-2000			
	Number	Number that operating	Percentage responded
<b>Canada</b>	<b>508</b>	<b>467</b>	<b>92</b>
Newfoundland	13	12	92
Prince Edward Island	4	4	100
Nova Scotia	19	17	89
New Brunswick	14	14	100
Quebec	112	103	92
Ontario	147	137	93
Manitoba	23	18	78
Saskatchewan	21	19	90
Alberta	37	33	89
British Columbia	99	93	94
Yukon	6	5	83
Northwest Territories	7	7	100
Nunavut	6	5	83

Source: Statistics Canada, Canadian Centre for Justice Statistics, Transition Home Survey, 1999-2000.

## Shelter Funding

The number of shelters in Canada has been steadily increasing since the 1970's in part through capital funding assistance for shelters provided by Canada Mortgage and Housing Corporation (CMHC) under the non-profit housing programs of the *National Housing Act*, and operating funding from provincial and territorial programs (SPR Associates Inc., 1997). CMHC's capital financing role continued with Project Haven, a program that was delivered in close collaboration and partnership with provincial/territorial governments, Indian and Northern Affairs Canada (INAC) and community agencies. This program spent \$22 million between 1988 and 1992 to establish or add transition homes with special priority to communities that had no transition homes (such as rural or remote areas and on reserves), and for shelters for immigrant women and women with disabilities. A total of 78 shelters and 465 shelter units received funding (Canada Mortgage and Housing Corporation, 1994).

Between 1992 and 1995, CMHC's Next Step Program funded the creation of 34 second stage housing projects and 23 first stage shelters across Canada. Second stage housing financing was targeted to communities where first stage shelters existed but women needed secure housing for a longer period as they searched for permanent housing in the community. Since 1996, CMHC's Shelter Enhancement Program has funded repairs and modifications to existing shelters and second stage housing for abused women. The Shelter Enhancement Program has also assisted in the acquisition and construction of new shelters and second stage housing, including shelters in First Nations' communities in partnership with First Nations and INAC. INAC also provides approximately \$6.2 million each year to on-reserve shelters for their operating and management expenses and approximately \$1.8 million annually to off-reserve shelters to reimburse them for providing shelter and services to on-reserve residents.

In addition to the efforts of federal agencies, there are many provincial, territorial and community programs that provide services and alternatives for women who have experienced abuse. These programs include expenditures for the on-going operation and maintenance of shelters, counselling and prevention programs, legal services and public awareness programs.

## Types of shelters

The term shelter is used broadly to refer to all residential facilities for abused women and their dependent children. The types of shelters are defined by the Transition Home Survey as:

**Transition Home** - Short or moderate term (1 day to 11 weeks) first stage emergency housing.

**Second Stage Housing** - Long-term (3-12 months) secure housing with support and referral services designed to assist women while they search for permanent housing.

**Safe Home Network** - A network of private homes in rural or remote areas where there is no full-fledged operating shelter. It offers subsidiary very short-term (1-3 days) emergency housing.

**Women's Emergency Centre/Shelter** - Short-term (1-21 days) respite (temporary relief) for women and their dependent children.

**Emergency Shelter** - Short-term (1-3 days) respite for a wide population range, not exclusively abused women. Some facilities may provide accommodation for men as well as women. This type of facility may accommodate residents who are not associated with family abuse but are without a home due to an emergency situation (e.g., eviction for non-payment of rent). Other than residential (room and board) services, these shelters offer few additional client services.

**Family Resource Centre** - An Ontario government initiative that serves a wide range of clients and provides clients with an extensive array of information and referrals as well as residential services.

**Other** - All other facilities/shelters not otherwise classified. This category may include Rural Family Violence Prevention Centres in Alberta, Interim Housing in Manitoba, and other types of emergency shelters. These services may not be exclusive to abused women.

## A PROFILE OF FACILITIES

### Number of shelters for women growing

On April 17, 2000, there were 508 shelters for abused women across Canada. Of these, only 18 existed prior to 1975 (Figure 1). The largest period of growth came in the 1980s as the issues of violence against women and family violence gained attention at all levels of government (Rodgers and MacDonald, 1994; Pottie Bunge and Levett, 1998). Growth in the number of shelters in the 1990s was due, in large part, to the development of shelters in rural areas and Aboriginal communities.

Canadian shelters provide services in all provinces and territories and serve a variety of areas. In 1999-2000, 88% of shelters served urban areas, 47% of shelters served rural areas and 34% provided services to reserves.<sup>3</sup>

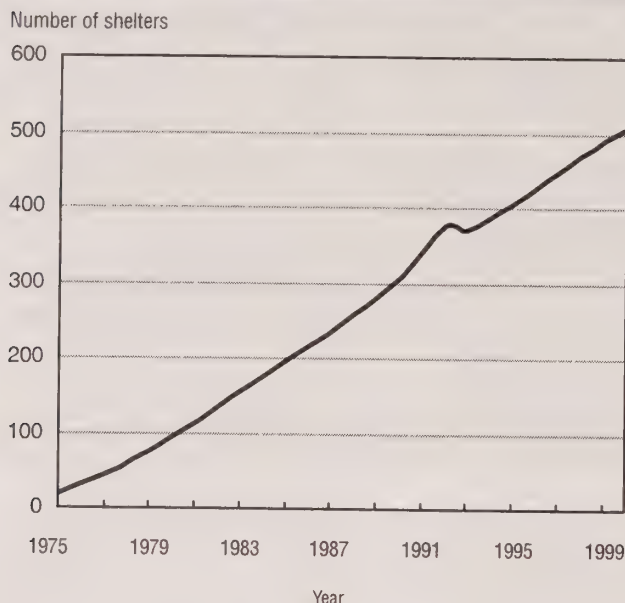
Transition homes made up 58% (269) of the 467 shelters that reported to the 1999-2000 Transition Home Survey. The remaining 198 shelters included 73 second stage housing facilities, 38 women's emergency shelters, 37 emergency centres, 16 safe home networks, 14 family resource centres (Ontario only) and 20 other types of facilities. Transition homes were the predominant type of emergency housing available

<sup>3</sup> Percentages will not add to 100% due to multiple responses.



Figure 1

### Number of shelters for abused women continue to grow



Source: Statistics Canada, Canadian Centre for Justice Statistics, Transition Home Survey.

in most of the provinces and territories. The exceptions were Prince Edward Island, where 3 out of the 4 shelters were second stage housing; Manitoba, where 7 of the 18 shelters were second stage housing; Alberta, where women's emergency centres accounted for almost one-half of all facilities; and Nunavut, where 4 of the 5 shelters were women's emergency shelters.

### Extensive variety of services offered

In addition to providing refuge, the majority of shelters offer a variety of services. The services provided depend to a large extent on available funding and can vary with the availability of services in the larger community. Nine in ten facilities provided in-house, individual, short-term counselling to women residents. Other in-house services included advocacy (89%), specialised services for women aged 55 and older (84%), housing referral (82%) and parenting skills (75%) (Table 2). Sixty-two percent of the facilities provided services for women with disabilities, 63% provided culturally sensitive services for Aboriginal women,<sup>4</sup> while nearly 6 in 10 shelters provided culturally sensitive services to ethno-cultural and visible minority residents<sup>5</sup> (58%).

Overall, the types of services provided by shelters in 1999-2000 have remained fairly consistent with those offered in 1997-1998. Where there have been slight increases or decreases in the various types of services offered, many of these changes may be explained by shifts or changes in the types of shelters responding to the survey. Results from the 1999-2000 survey indicated a slight decrease from 1997-1998 in the percentage of shelters that provided group counselling

and parenting skills. In 1999-2000, 67% of shelters provided group counselling, down slightly from 71% in 1997-1998. Similarly, the percentage of shelters that provided parenting skills decreased from 82% in 1997-1998 to 75% in 1999-2000. However, the percentage of shelters that provided a crisis telephone line and medical services rose from 60% to 64% and from 55% to 59% respectively.

Table 2

### In-house services<sup>1</sup> provided by shelters to women residents, ex-residents and non-residents, 1999-2000

In-house services provided by shelters to:

	Residents	Non-residents <sup>2,3</sup>	Ex-residents <sup>2</sup>
	%		
Individual short-term counselling	90	70	74
Individual long-term counselling	36	33	38
Group counselling	67	45	52
Family counselling programs	16	10	12
Crisis telephone line	64	75	72
Medical services	59	35	41
Legal services	74	56	59
Financial assistance/welfare	74	49	53
Life skills	74	33	45
Job training/employment search	25	11	14
Parenting skills	75	37	47
Housing referral	82	46	51
Culturally sensitive services for Aboriginal women	63	42	43
Culturally sensitive services for ethno-cultural and visible minority women	58	36	39
Services for women with disabilities	62	37	38
Recreation services	48	13	22
Advocacy	89	64	70
Specialized services for older women (55+)	84	61	64
Other	23	18	19

<sup>1</sup> Service reported as a percentage of 467 responding facilities.

<sup>2</sup> A non-resident was someone who had never resided in a shelter but was receiving services, while an ex-resident was someone who had resided in a shelter in the past and was receiving follow-up services.

<sup>3</sup> Some shelters do not distinguish between non-residents and ex-residents. These responses were included with the non-residents data.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Transition Home Survey, 1999-2000.

In 1999-2000, 68% of shelters were accessible to women with disabilities, as they had complete or partial building access for wheelchairs. It should be noted that since the mid 1990s, many shelters have improved accessibility through CMHC's Shelter Enhancement Program. Shelters that

<sup>4</sup> Culturally sensitive services for Aboriginal women were such services as recognition of traditional healing methods, use of spiritual elders and teachers, accessibility to language interpreters and Aboriginal language materials, and recognition and understanding of Aboriginal cultural norms and beliefs.

<sup>5</sup> Culturally sensitive services for ethno-cultural and visible minority women include accessibility to language interpreters, resource materials in various languages, and counsellors who are familiar with immigration issues and parenting styles in different cultures.

provided services for people who are hearing impaired, including telephone devices such as TDD/TTY or sign language services remained virtually unchanged (33% in 1997-1998 versus 32% in 1999-2000) and services for people who are visually impaired such as large print and Braille material increased from 13% of shelters in 1997-1998 to 19% in 1999-2000.

In-house services for children most often included outdoor and indoor recreation spaces (79% and 78%), individual counselling (69%), group counselling (54%) and programs for children who have witnessed or experienced abuse (51%). Results from the 1999-2000 survey indicated a slight decrease from 1997-1998 in the percentage of shelters that provided individual counselling (69% versus 75% in 1997-1998). The percentage of shelters that provided programs for child witnesses or child victims of abuse remained virtually unchanged at about 50 percent.

The non-residential services provided by shelters is an important aspect of their overall workload. On snapshot day, shelters had 1.7 times as many requests for assistance from ex-residents and non-residents as there were women residing in shelters. Shelters provided assistance to non-residents<sup>6</sup> through a 24-hour crisis telephone line (75%), individual short-term counselling (70%), advocacy (64%), and legal services (56%).<sup>7</sup> The majority of facilities also provided ex-resident women with services such as individual short-term counselling (74%), a 24-hour crisis telephone line (72%), advocacy (70%), legal services (59%) and group counselling (52%) (Table 2).

Services to ex-residents and non-residents are made through telephone, letter, fax or walk-in contact. For an average month, 411 shelters reported 11,046 housing related contacts, 48,420 non-housing related contacts and 11,589 other contacts<sup>8</sup> for a total of 71,055 requests for services. Fourteen percent of shelters had no contacts for assistance while 44% had from 1 to 99 contacts, 18% had from 100 to 199 contacts and 24% had 200 or more contacts in an average month.<sup>9</sup>

An average of 43 hours per week was spent providing outreach activities in the community. Of the 408 shelters that responded to the question, 30% spent from 1 hour to 19 hours per week on outreach work, 21% spent from 20 to 39 hours and 38% spent 40 or more hours per week providing outreach activities. The remaining 12% did not report spending any time on outreach activities. Outreach work included supplying information, accompanying victims of abuse to court and participating in drop-in centres.

Shelters also rely on other agencies within the community, often working together in multi-agency co-ordinating committees, to provide services to their residents. The majority of facilities were able to obtain services in the community for their residents in the areas of job training or employment search (69%), legal services (61%), financial assistance or welfare (61%), medical services (62%), and individual long-term counselling (60%).

Many shelters relied on outside agencies to provide treatment or counselling services to abusive partners (38%), but some shelters also provided this service to abusive partners of residents (6%) partners of ex-residents (4%), and to partners of non-residents<sup>10</sup> (7%).

## Services provided in a variety of languages

As Canada's population has become increasingly diverse, many shelters have responded by ensuring that they have staff or volunteers who can communicate and deliver services in a variety of languages. In 1999-2000, 94% of shelters reported that they could provide services in English, 61% in French, 24% in Spanish, 13% in German, 12% in Cree, 12% in Punjabi, 10% in Italian, 10% in Polish, 8% in Portuguese, 7% in Chinese, 7% in Ukrainian, 6% in Arabic, 6% in Vietnamese, 5% in Greek and 4% in Tagalog (Table 3). In total, 56% of shelters indicated that they have staff who can communicate and provide services in languages other than English and French, a 23% increase from 1997-1998.

Table 3

### Languages in which shelters provided services, 1999-2000<sup>1</sup>

	Total facilities	
	Number	Percentage
English	440	94
French	283	61
Spanish	111	24
German	60	13
Cree	57	12
Punjabi	56	12
Italian	46	10
Polish	45	10
Portuguese	39	8
Chinese	35	7
Ukrainian	31	7
Arabic	28	6
Vietnamese	27	6
Greek	23	5
Tagalog	21	4
Other	166	36

<sup>1</sup> Service reported as a percentage of 467 responding facilities.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Transition Home Survey, 1999-2000.

## Admissions of male youth

Shelters for abused women often have criteria to determine who is eligible for admission. While the objective of shelters is to provide residential services for abused women and their dependent children, limits are sometimes imposed on the age of male youth accompanying their mothers. The existence of an age limit for the admittance of male youth was reported by 69% of shelters while 24% of shelters had no age limit. For

<sup>6</sup> A non-resident was someone who has never resided in a shelter but was receiving services, while an ex-resident was someone who had resided in the shelter in the past and was receiving follow-up services.

<sup>7</sup> Some shelters do not distinguish between non-residents and ex-residents. These responses were included with the non-residents data.

<sup>8</sup> Other contacts are those contacts that could not be classified as housing or non-housing related.

<sup>9</sup> This may be an underestimate as 56 shelters did not provide data for this question.

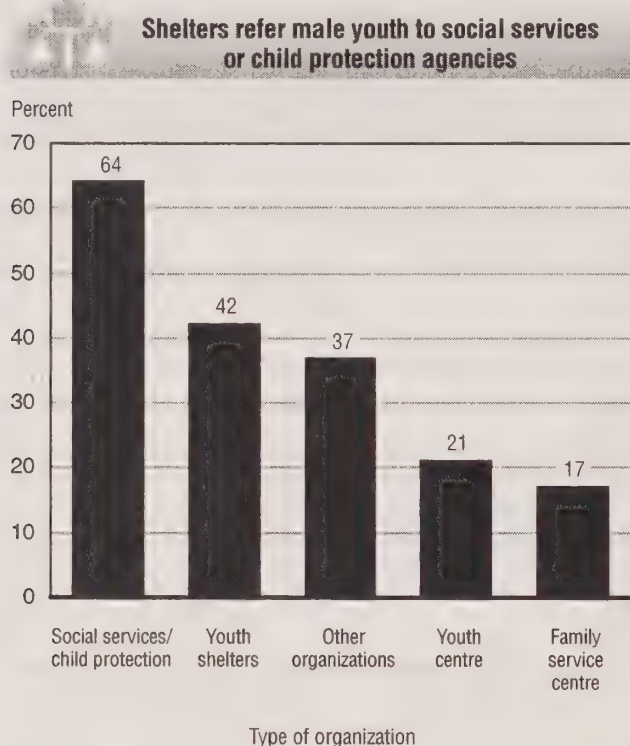
<sup>10</sup> Some shelters do not distinguish between non-residents and ex-residents. These responses were included with the non-residents data.



the remaining 6% of shelters, no services for male youth were provided.<sup>11</sup> Nationally, the average age limit for admittance to a shelter for male youth, for those shelters that had an age limit, was 16 years of age. Rates in the provinces and territories ranged from 14 years of age in the Yukon to 17 years of age in Quebec.<sup>12</sup>

For shelters that had an age limit, 62% referred male youth to other organizations and agencies. These shelters reported making referrals to social service/child protection agencies (64%), youth shelters (42%), other organizations (37%), youth centres (21%) and family service centres (17%) (Figure 2).

Figure 2



**Note:** Figures will not add to 100% due to multiple responses.

Percentages are based on the responses of 229 facilities that referred male youth to other organizations.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Transition Home Survey, 1999-2000.

## Number of admissions

An admission is the official acceptance of a woman or child into a shelter with the allocation of a bed. A person may be admitted more than once during the year. From April 1, 1999 to March 31, 2000,<sup>13</sup> there were 96,359 admissions to the 448 facilities that responded to the survey question: 57,182 women and 39,177 children (Table 4). The 1997-1998 survey found that 90,792 women and dependent children were admitted to 413 shelters.<sup>14</sup>

An examination of shelter types shows that the majority of admissions (59%) were to transition homes, followed by

Table 4

## Annual admissions<sup>1</sup> to shelters by province and territory, 1999-2000<sup>2</sup>

	Admissions		
	Total	Women	Children
<b>Canada</b>	<b>96,359</b>	<b>57,182</b>	<b>39,177</b>
Newfoundland	1,246	745	501
Prince Edward Island	251	107	144
Nova Scotia	8,436	7,631	805
New Brunswick	1,878	1,038	840
Quebec	16,842	10,012	6,830
Ontario	29,810	17,125	12,685
Manitoba <sup>3</sup>	4,367	1,916	2,451
Saskatchewan	3,464	1,448	2,016
Alberta	13,242	7,562	5,680
British Columbia	14,163	8,230	5,933
Yukon <sup>3</sup>	795	425	370
Northwest Territories	954	506	448
Nunavut <sup>3</sup>	911	437	474

<sup>1</sup> A person may be admitted more than once during the reporting period.

<sup>2</sup> 448 shelters responded to this question.

<sup>3</sup> Response rates were less than 85%.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Transition Home Survey, 1999-2000.

women's emergency centres and general emergency shelters (16% each). Second stage housing, safe home networks, family resource centres and other types of facilities accounted for the remaining 9% of admissions. There are several reasons for the high number of admissions to transition homes. These include the greater number of transition homes compared to other facility types, the greater number of residents transition homes are licensed to house per day (51% of the total for all shelters) and the shorter length of stay, ranging from 1 day to 11 weeks compared with 3 to 12 months in second stage housing.

## A PROFILE OF RESIDENTS ON APRIL 17, 2000

### Women going to shelters to flee abusive situations

In a snapshot taken as of noon on April 17, 2000, the 464 shelters that supplied data had 5,351 residents: 2,826 women and 2,525 accompanying children. Eighty-one percent of the women and 91% of the children living in shelters that day were there to escape abuse. These women were escaping from psychological abuse (77%), physical abuse (68%), threats (50%), financial abuse (40%), harassment (36%) and sexual abuse (30%) (Figure 3). Nineteen percent of women

<sup>11</sup> Percentages may not add to 100% due to rounding.

<sup>12</sup> Average age for admittance of male youth is based upon the responses of the 322 shelters that have an age limit for male youth.

<sup>13</sup> The precise reporting period may vary. Shelters were asked to provide information for the twelve-month period ending March 31, 2000 or their own twelve-month fiscal period. This may be an underestimate, as 19 shelters did not provide data for this question.

<sup>14</sup> Response rates were quite high for both 1999-2000 (92%) and 1997-1998 (91%), therefore non-response bias is minimal.

## How to get help

Most communities have services for individuals who have been abused. These organizations provide abused persons with information and support. Recommended steps for taking action and getting help include the following:

- 1) **Keep yourself and your children safe.** This may mean leaving the situation, moving out, or setting limits on what you will put up with. Have an escape plan ready if the violence starts again.
- 2) **Refuse to take blame for the abuse.** The abuser made the choice to act violently. You are not responsible for this behaviour.
- 3) **Call a friend or family member you trust.** Call someone who is supportive and understands that violence is never okay or justifiable.
- 4) **Call a shelter or crisis line.** Their telephone numbers are at the beginning of the telephone book. A shelter can provide safety, support and help with your future plans. Moving to a shelter is not the only option. You can also obtain advice from a counsellor over the phone.
- 5) **Call the police.** Telephone numbers for the police are at the beginning of the telephone book.
- 6) **Join a support group.** Sharing experiences with others often helps victims to realize that they are not alone. These groups can be extremely useful in helping abused people find ways to protect themselves and to deal with the situation.
- 7) **See a counsellor.** Counselling can provide an opportunity to learn about the impact that the abuse has had on you and to discuss options.

Several of these steps for taking action and getting help are also appropriate for male victims of family abuse. Many large urban centres across Canada have private practitioners that offer support groups for abused men or have men's organizations that can direct individuals to available services.

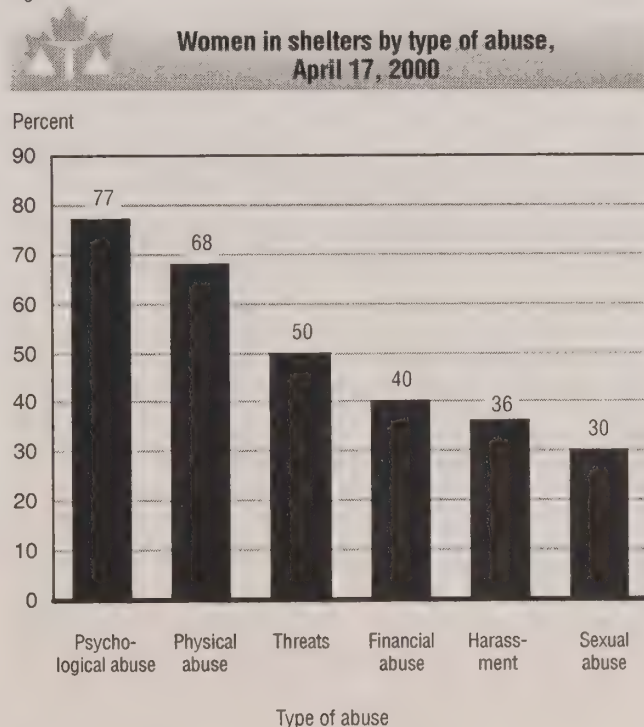
**Sources:** Health Canada (1995), Canadian Association of Broadcasters (1996), The Denise House/Sedna Women's Shelter (1997), Nova Scotia Advisory Council on the Status of Women (1997), Government of Newfoundland and Labrador (1998), Tutty (1999).

were also in shelters for reasons other than abuse, such as housing problems, mental health problems, and drug and alcohol addiction (Table 5). Compared to 1997-1998, the total number of women admitted to shelters on April 17, 2000 for reasons of abuse increased from 77% to 81%, while the number of women admitted to shelters for reasons other than abuse decreased from 22% to 19%. The number of children residing in shelters for reasons of abuse also increased from 78% in 1997-1998 to 91% in 1999-2000 and the number of children residing in shelters for reasons of non-abuse decreased from 22% in 1997-1998 to 9% in 1999-2000.

Overall, the rate of abused women in shelters on April 17, 2000 was 18 per 100,000 women (aged 15 and over) in the population (Table 6). Rates in the provinces ranged from a low of 14 in Quebec to a high of 21 in Prince Edward Island. Differences in provincial rates are not necessarily a reflection of differences in the incidence of abuse, but may be affected by the availability and size of shelters, the catchment area that a shelter serves, and the number of shelters responding to the survey in each province and territory.

The vast majority of abused women in shelters on April 17, 2000 were seeking shelter from someone with whom they had an intimate relationship (85%). Sixty-six percent of abused women indicated that their spouse or common-law partner was the abuser, down slightly from 68% in 1997-1998. Fourteen percent of abused women indicated that their former spouse or partner was the abuser, up from 12% in 1997-1998. The percentage remained the same for women who were abused by a current or ex-boyfriend (5%). A further 11% were abused by a relative, friend, caregiver, authority figure

Figure 3



**Note:** Figures do not add to 100% due to multiple responses.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Transition Home Survey, 1999-2000.



Table 5

### Reason(s) for admission to shelters of women residents, April 17, 2000<sup>1</sup>

	Number	Percentage
<b>Total Women</b>	<b>2,826</b>	<b>100</b>
<b>Situations of abuse</b>	<b>2,281</b>	<b>81</b>
Physical abuse	1,541	68
Sexual abuse	680	30
Financial abuse	909	40
Psychological abuse	1,759	77
Threats	1,141	50
Harassment	816	36
Other abuse	219	10
<b>Protection of children from:</b>		
Physical abuse	312	14
Sexual abuse	87	4
Threats	296	13
Psychological abuse	628	28
Neglect	181	8
Witnessing abuse of mother	852	37
<b>Situations not involving abuse</b>	<b>545</b>	<b>19</b>
Housing emergency	267	49
Unable to find affordable housing	504	92
Short-term housing problem	199	37
Mental health problems	264	48
Drug and alcohol addiction	287	53
Other non-abuse	178	33
Reason unknown	28	5

<sup>1</sup> Percentages will not add to 100 due to multiple responses.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Transition Home Survey, 1999-2000.

and other, up from 8% in 1997-1998, while for 4% of women, the shelter could not specify the relationship (Table 7).

### Young women in abusive relationships continue to make up a small proportion of shelter users

According to the Transition Home Survey, women aged 15 to 24 represented a small proportion of abused women residing in shelters (20%) on April 17, 2000. However, both the 1999 General Social Survey on Victimization and the 1993 Violence Against Women Survey show that women under the age of 25 had the highest rates of spousal violence and that rates decline by age. According to the 1999-2000 Transition Home Survey, the largest proportion of abused women residing in shelters on snapshot day were women aged 25 to 34 (36% of all women residing in shelters for reasons of abuse) while those aged 35 to 44 accounted for 28%. Women aged 45 and over made up the smallest proportion of shelter users, as they accounted for only 14% of residents, not surprising given their low rates of spousal violence. Age was unknown for 3% of women (Table 7). Calculated as a rate per 100,000 women in the population aged 15 and over, women in the age group 25 to 34 were the most likely to use shelters with a rate of 37, compared to 24 for those 35 to 44 and 23 for women aged 15 to 24. Women who were 45 years of age and over had the lowest rate at 6 per 100,000 women.

Table 6

### Rate of women in shelters, resident on April 17, 2000, admitted for reasons of abuse, by province and territory<sup>1</sup>

	Number of resident women	Number of women in the population 15+	Rate per 100,000 women 15+
<b>Canada</b>	<b>2,281</b>	<b>12,657,090</b>	<b>18.0</b>
Newfoundland	36	226,116	15.9
Prince Edward Island	12	57,250	21.0
Nova Scotia	71	395,945	17.9
New Brunswick	54	315,933	17.1
Quebec	428	3,088,100	13.9
Ontario	956	4,803,929	19.9
Manitoba <sup>2</sup>	74		
Saskatchewan	74	406,915	18.2
Alberta	209	1,178,690	17.7
British Columbia	303	1,689,155	17.9
Yukon <sup>2</sup>	14		
Northwest Territories	26	14,619	177.9
Nunavut <sup>2</sup>	24		

<sup>1</sup> Rates are calculated based on 100,000 population. The population estimates are provided by Statistics Canada, Census and Demographic Statistics, Demography Division. Populations as of July 1: preliminary postcensal estimates for 2000.

<sup>2</sup> Response rates for Manitoba, the Yukon and Nunavut are less than 85% therefore no rate has been calculated.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Transition Home Survey, 1999-2000.

Table 7

### Characteristics of abused women residing in shelters, April 17, 2000

	Number	Percentage
<b>Total women admitted due to abuse</b>	<b>2,281</b>	<b>100</b>
<b>Age</b>		
15-24	455	20
25-34	819	36
35-44	630	28
45-54	220	10
55+	99	4
Age unknown	58	3
<b>Parental status</b>		
Admitted with child(ren)	1,260	55
Admitted without child(ren)	476	21
Admitted and have no child(ren)	515	23
Parental status unknown	30	1
<b>Disabilities</b>		
Physical	120	5
Other	119	5
No disabilities	1,234	54
Don't know	808	35
<b>Relationship between woman and abuser</b>		
Spouse/common law partner	1,516	66
Ex-spouse/Ex-partner	309	14
Dating/Ex-dating	107	5
Relative	173	8
Other	77	3
Don't know	99	4

Source: Statistics Canada, Canadian Centre for Justice Statistics, Transition Home Survey, 1999-2000.

### Adult men in shelters

In order to obtain a more complete picture of the clients served by shelters, the 1999-2000 Transition Home Survey also included, for the first time, questions designed to gather information on the use of shelters by adult men. The module of 3 questions was introduced by the following statement:

*The following questions refer to adult men, 15 years of age and over, who were admitted to a facility with or without their dependent children and refer to the time period between April 1st, 1999 and March 31st, 2000 or during the previous 12 month period if March 31st, 2000 is not your fiscal year end. **DO NOT include adult men who are admitted with their mothers.***

1. Does your facility have a policy on admitting adult men with or without children?

*Policy allows adult men to be admitted.*

*Policy does not allow adult men to be admitted.*

*There is no facility policy on admitting adult men*

2. During the reference period, how many adult men were admitted to your facility?

3. During the reference period (between April 1st, 1999 and March 31st, 2000 or during the previous 12 month period if March 31st, 2000 is not your fiscal year end), were any adult men admitted for reasons of abuse?

*Yes*

*No*

In 1999-2000, there were no shelters in Canada that provided residential services exclusively to adult male victims of family abuse. As with women, adult men were defined as those 15 years of age and over who were admitted to a facility with or without children. Adult men admitted with their mother were excluded.

Results indicate that a majority of facilities (90%) had a policy that did not allow adult males to be admitted into their facility. Five percent of shelters had a policy that allowed adult men to be admitted, while 4% had no facility policy on admittance. Data were not provided by 1% of shelters. Seventeen shelters reported admitting adult men. Thirteen of these shelters indicated that they admitted adult men for reasons of abuse. In total, these thirteen shelters admitted 285 men; however, it is not known what proportion of these men were admitted for reasons of abuse. Sixty-nine percent of these 13 shelters serviced reserves or were owned or operated by a band council or were located on a reserve. These facilities may be more likely to admit adult men due to policies of serving entire family groups which may include adult male members of the household.

### Most women bring their children to shelters

When women leave their homes for the safety of a shelter, their children often accompany them. As stated previously, there were 2,281 women and 2,310 children (464 shelters provided data) escaping abusive situations who were residing in shelters on April 17, 2000. Fifty-five percent of abused women were admitted with children, 21% came to a shelter without any of their children and 23% had no children. For 1% of women, it was unknown whether they had children. There are many reasons that women may not bring their children to shelters. For example, some may be old enough to live on their own, older children may stay in the family home because of schooling issues, and older children may not be eligible to stay in some shelters (Trainor, 1999). However, of those abused women who reported having children, 73% brought their children to the shelter.

The majority of children accompanying their mother to a shelter were very young. Specifically, children under 5 years of age constituted 41% of all children admitted and an additional 32% were aged 5 to 9. Children aged 10 to 15 made up 22%, while the smallest group (3%) was aged 16 and over. For 2% of children, the age was not known.

The survey data also indicate that women living in shelters for reasons of abuse on April 17, 2000 were also there to protect their children from abuse. Of those women in shelters on April 17, 2000 with parenting responsibilities, almost half (49%) were protecting their children from witnessing the abuse of their mother, 36% were protecting them from psychological abuse, 18% from physical abuse, 17% from threats, 10% from neglect, and 5% from sexual abuse (Figure 4).<sup>15</sup>

### Criminal justice system involvement

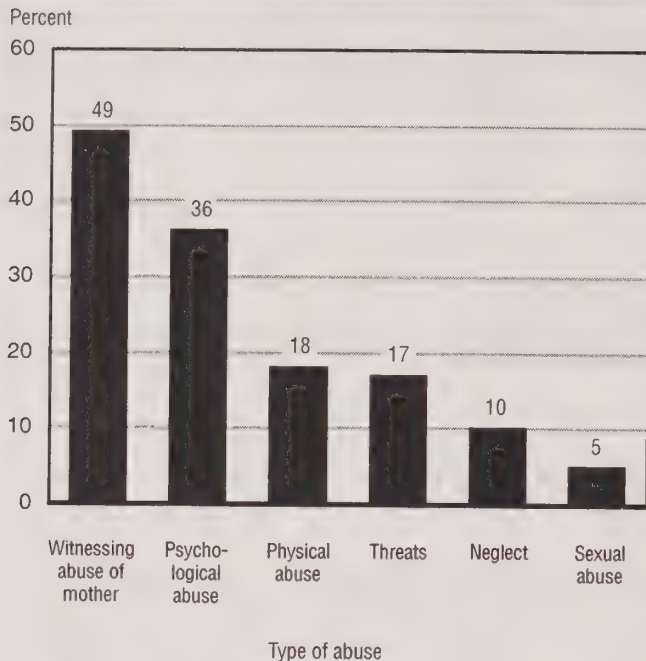
In response to mandatory police and prosecutorial charging guidelines or policies, most provinces currently have guidelines and procedures in place to respond to abuse within the family. Shelters, however, are not required to report abuse of adults to the police but provincial legislation requires them to report abuse of children to the appropriate authorities including the police and child welfare agencies. While not all precipitating events that lead women to shelters are by definition criminal acts requiring police response, 28% of women in shelters for reasons of abuse on April 17, 2000 had reported the most recent incident of abuse to the police. In 62% of these cases, either the woman, the police or the Crown laid charges. An order for the abuser to stay away was obtained in 50% of cases reported to the police and in 81% of cases in which charges were laid.

<sup>15</sup> Percentage will not add to 100% due to multiple responses.



Figure 4

### Women with parenting responsibilities going to shelters to protect their children from abuse, April 17, 2000



Note: Figures do not add to 100% due to multiple responses.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Transition Home Survey, 1999-2000.

### Departures and refusals

On April 17, 2000, 163 women and 77 children departed before noon from 446 shelters across Canada. While 1 in 6 women left the shelter and returned to their spouse, the majority of women did not return to their spouse. Twenty-eight percent of women left the shelter for alternative housing without their spouse. These alternative accommodations included second stage housing, another emergency shelter and other new accommodations. Another 17% of women returned to their spouse, 12% went to stay with friends or relatives, 9% returned home without their spouse and 9% went to other housing. For 25% of women, it was not known where they intended to reside (Figure 5).

The number of women and children who use shelters does not necessarily reflect the actual need as it does not capture those who are turned away because of lack of space. For this reason, the 1999-2000 Transition Home Survey asked shelters if they had turned away women and children from their facility before noon on snapshot day and the reason(s) for that refusal. On a single day, April 17, 2000, 89 shelters reported that they had turned away 476 people: 254 women and 222 children.<sup>16</sup> More than seven in 10 of these shelters (71%) turned women and children away because the shelter was full. Other reasons included drug or alcohol issues (12%), mental health problems (10%) non-admit or caution list (7%)<sup>17</sup> and other reasons (30%).<sup>18</sup>

<sup>16</sup> A person may be turned away from more than one shelter on snapshot day.

<sup>17</sup> A non-admit or caution list is a shelter's list of persons who, based on previous experiences in the shelter, are not allowed further admission.

<sup>18</sup> Percentages will not add to 100% due to multiple responses.

### Children witnessing violence

Witnessing violence can encompass a wide range of experiences, including seeing or hearing the violence between parents or seeing the physical or emotional consequences of the battering of a parent (Jaffe, Wolfe & Wilson, 1990). There is evidence that if children witness physical violence, they will also witness a considerable amount of psychological abuse, including verbal abuse, belittling and threats (Health Canada, 1996).

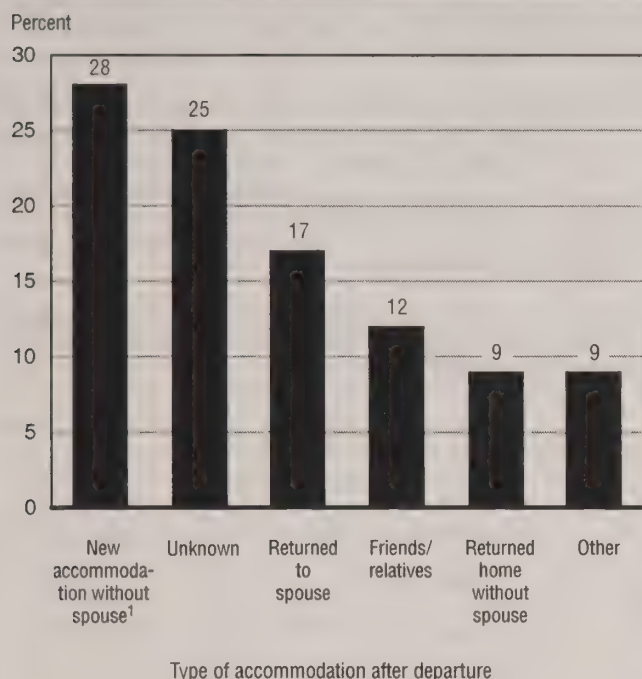
According to the 1999 General Social Survey on Victimization, 37% of spousal violence victims reported that children had heard or seen violence in the home in the past five years. This amounts to at least half a million children who heard or witnessed a parent being assaulted and who more than likely witnessed violence against their mothers, during the 5 year period. In many cases, the children lived in households where severe acts of violence had taken place. In those households where a child reportedly witnessed or heard the violence, 41% of victims had feared for their lives at some point in the past 5 years and 45% of victims had been physically injured (Pottie Bunge and Locke, 2000).

Research suggests that the effects on children of witnessing violence between their parents can be serious and long lasting. These children are at increased risk of becoming victims or perpetrators of violence themselves (Health Canada, 1996), and are at a greater risk of numerous behavioural, emotional and developmental problems (O'Keefe, 1995; Allan, 1991; Jaffe, Wolfe & Wilson, 1990; Egeland, Jacobvitz & Sroufe, 1988). This can include experiencing symptoms of post-traumatic stress disorder, including fear, anxiety, irritability, difficulty concentrating, intrusive memories of the abuse, anger outbursts and hyperarousal (Lehmann, 1997; Graham-Berman & Levendosky, 1998). These children may also experience elevated rates of depression, withdrawal, low self-esteem and other emotional problems. They also have a greater risk of behaviour problems, such as aggression and non-compliance with peers and adults, destructive behaviour, and conflict with the law.

A future edition of *Juristat* will provide an analysis of the 1999 GSS and the 1996-1997 National Longitudinal Survey of Children and Youth data on children witnessing violence. See Mia Dauvergne & Holly Johnson. 2001. Children Witnessing Family Violence. *Juristat*

Figure 5

### Women's accommodations after leaving shelters, April 17, 2000



<sup>1</sup> New accommodation without spouse includes second stage housing, another emergency shelter and other new accommodations without spouse.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Transition Home Survey, 1999-2000.

## DATA SOURCES

### Transition Home Survey

The Transition Home Survey was developed under the federal government's Family Violence Initiative in consultation with provincial/territorial governments and transition home associations. The objectives of the survey are to collect information on residential services for abused women and their children during the previous twelve months of operation as well as to provide a one-day snapshot of the clients being served on a specific day. In 1991-1992, Statistics Canada began collecting basic information on transition home services and clientele. The survey was repeated with some changes in 1992-1993, 1994-1995, 1997-1998, and 1999-2000.

The Transition Home Survey is a mail-out/mail-back census survey of all residential facilities providing services to abused women and their children. Of the 508 residential facilities providing services to abused women and their children, 467 returned their questionnaires for a response rate of 92%. Separate questionnaires were completed for facilities that had two or more residences under the same name or address.

### Violence Against Women Survey (VAWS)

In 1993, Statistics Canada conducted the VAWS on behalf of Health Canada. It was conducted by telephone using random digit dialing techniques. A total of 12,300 women aged 18 years and older were interviewed about their experiences of physical and sexual violence since the age of 16, their responses to these experiences, and their perceptions of their personal safety. Responses were weighted to represent the 10.5 million women in the Canadian population. Estimates were made of both twelve-month and adult lifetime rates of violence.

### The General Social Survey (GSS) on Victimization

The GSS is an annual survey that monitors changes in Canadian society and provides information on specific policy issues of current or emerging interest. Each year, the GSS focuses on various regular topics (including time use, social support, the family, technology and victimization). In 1999, Statistics Canada conducted the victimization cycle of the GSS for a third time. Previous cycles were conducted in 1988 and in 1993. The objectives of the survey are to provide estimates of the prevalence of eight offence types (based on the Criminal Code definitions for these crimes) in the population, to examine factors related to the risk of victimization, victims' willingness to report crimes to the police, reasons for not reporting, and to measure public perceptions of crime and the criminal justice system.

The GSS is a telephone sample survey covering the non-institutionalized population aged 15 years or more in the ten provinces. A total of approximately 26,000 people were interviewed with a response rate of 81.3%.

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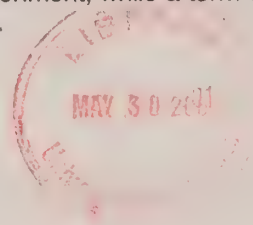
## ADULT CRIMINAL COURT STATISTICS, 1999/00

by Liisa Pent<sup>1</sup>

### HIGHLIGHTS

- In the fiscal year 1999/00, adult criminal courts in 9 provinces and territories (not including New Brunswick, Manitoba, British Columbia and Nunavut) processed 378,586 cases involving 811,382 charges, a 4% decrease from the previous year. Since 1994/95, total cases have declined by 15% in these jurisdictions.
- *Crimes against the person* (e.g., homicide, robbery, assaults) accounted for 20% of the cases heard in 1999/00, *Crimes against property* (e.g., break and enter, theft, fraud) accounted for 25%, and *Other Criminal Code Violations* (e.g., administration of justice and weapons) accounted for 29%. Six percent of all cases were *other federal statute* cases (e.g. Fisheries Act, Income Tax Act), with *Traffic* and *Drug related offences* representing 14% and 6% respectively of the total cases in 1999/00.
- The two offences most frequently heard in court were impaired driving and common assaults, each accounting for 12% of cases.
- While impaired driving was the most frequent offence heard in court in many jurisdictions, the proportion of impaired driving cases has decreased from 15% of all cases in 1994/95 to 12% of all cases in 1999/00.
- One third of adult criminal cases were resolved within a month, and just under half (45%) took more than one, but no more than eight months to complete in 1999/00. It took more than eight months but no more than twelve months to complete 12% of cases, and more than one year to dispose of 10% of total cases.
- Since 1994/95, adult criminal courts have seen a steady increase in both the proportion of multiple-charge cases and the average number of charges per case.
- In 1999/00, the conviction rate in adult criminal courts was 61%, a rate that has remained relatively stable since 1994/95.
- A term of probation was the most frequently imposed sanction (42% of convicted cases). A fine was imposed in 39% of cases, and a term of imprisonment in 34% of cases.
- The proportion of cases sentenced to prison varies significantly across the country. In Prince Edward Island, more than half of convictions resulted in a term of imprisonment, while a term of custody was imposed in just under one case in four convicted cases in Saskatchewan.

<sup>1</sup> Senior Analyst, Courts Program.





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## INTRODUCTION

Courts are responsible for making a number of critical decisions about a criminal case. These decisions include the determination of whether the Crown has established the guilt of the accused beyond a reasonable doubt, and for those offenders found guilty (or who plead guilty), the court must determine the nature of the sentence that will be imposed.

This *Juristat* summarizes trends from provincial/territorial courts in the seven provincial and two territorial departments of justice (**Box 1**), which provided data to the Adult Criminal Court Survey (ACCS) for the 1999/00 fiscal year. In this *Juristat*, information is presented on the characteristics of cases and accused persons, the number of appearances, conviction rates, sentencing trends and related issues.

### Box 1

#### About the Survey

The analysis in this report is based on case characteristic data from the Adult Criminal Court Survey (ACCS). Data on federal statute charges disposed of in 1999-00 are collected by the Canadian Centre for Justice Statistics (CCJS) in collaboration with provincial and territorial government departments responsible for adult criminal courts.

The primary unit of analysis is the case, which is defined as one or more charges laid against an individual and disposed of in court on the same day. All case information is presented by "most serious offence", as described in the methodology section. The individuals involved are persons 18 years or older, companies, as well as youths who have been transferred to adult criminal court.

At the time of this report, adult criminal courts in seven provinces and two territories reported to the ACCS. Reporting jurisdictions include: Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon, and the Northwest Territories. In addition, Alberta and the Yukon report Superior Court data to the ACCS. These jurisdictions represent approximately 80% of the national adult criminal court caseload. The information presented in this report covers only these nine participating jurisdictions.

## OVERVIEW OF TRENDS

### The number of cases heard in adult criminal court has declined, but the average number of charges per case has increased

In 1999/00, adult criminal courts in 9 provinces and territories processed 378,586 cases involving 811,382 charges. The number of cases processed in 1999/00 represents a 4% decline over the previous year, and a drop of 15% since 1994/95. This decline in prosecuted cases reflects the declining number of charges reported to police.<sup>2</sup> Over the period 1994 to 1999, there was a 12% decline in the number of charges laid by police in the same provinces and territories that report to the ACCS.

The large majority of the cases (88%) had a *Criminal Code* charge as the most serious charge in the case.<sup>3</sup> *Crimes against the person* accounted for 20% of the total number of cases, and *Crimes against property* accounted for a further 25%.

<sup>2</sup> See the methodology section for more details on the comparisons between the ACCS and the Uniform Crime Reporting (UCR) Survey.

<sup>3</sup> When a case has more than one charge, it is necessary to decide which charge will be used to represent the case. If the case includes a conviction, that charge will always be considered the most serious. The most serious offence in a case with multiple convictions is determined based on the type of convicted offences and the sentences imposed. See the methodology section for more details.

(Table 1). *Traffic-related offences* comprised 14% of all cases, while the category *Other Criminal Code* (which includes weapons offences and public order offences, among others), represented 29% of all cases. The remaining 12% of cases dealt with *Federal statute offences*, which included *Drug-related offences* (6%), and *Other federal statutes* (6%).<sup>4</sup> There has been little change in recent years in the distribution of cases across different categories of crime. In 1994/95, *Crimes against the person* accounted for 20% of all cases, and *Crimes against property*, 27% of all cases.

The average number of charges per case has increased 9%, rising from 1.97 in 1994/95 to 2.14 in 1999/00. Multiple-charge cases, which are more complex and often serious, increased from 44% of all cases in 1994/95 to 48% in 1999/00. In 1999/00, 27% of all cases involved two charges and 21% had three or more charges.

## Impaired driving and common assaults are the most frequent offences

In 1999/00, the most frequently occurring offences were impaired driving and common assault<sup>5</sup> (each accounting for 12% of cases). Administration of justice offences represented 11% of all cases, theft offences represented 10% of cases, while major assault comprised just under 6% of cases. Taken together, all forms of sexual assault and sexual abuse accounted for less than 2% of the federal statute caseload in adult criminal courts. In general, violent crimes account for a lower percentage of cases. Homicide, attempted murder and kidnapping together accounted for 0.3% of total cases. In addition to common assault, an exception to this rule is major assault, which accounts for 6% of total cases. (Table 1).

Since 1994/95 the distribution of cases across the offence categories has remained relatively stable. The most notable exceptions include the change in the proportion of impaired driving cases, which has decreased from 15 to 12 percent of total cases, and offences against the administration of justice, which has increased from 9 to 11 percent. Figure 1 illustrates the distribution of cases for some of the most frequently occurring offences and offence categories.

## DEMOGRAPHIC CHARACTERISTICS OF PERSONS APPEARING IN COURT

### Most adult criminal court cases involve males

Fully 82% of all cases at the adult criminal court level involved male accused, while 15% of cases involved a female accused. (The sex of the accused was not recorded in 2% of the cases). In 1999/00, less than 1% of the cases involved a company as the accused.

Although males accounted for the majority of cases, the distribution varied by type of offence. For *Crimes against the person*, 85% of cases involved males, while males were involved in 78% of *Crimes against Property*, and 86% of cases for *Traffic-related offences*. The few offences for which females

Table 1

### Cases heard in Adult Criminal Court Nine Provinces and Territories in Canada, 1999/00

Offence Group	# Cases	%
<b>Total Offences</b>	<b>378,586</b>	<b>100.0</b>
<b>Criminal Code Total</b>	<b>334,414</b>	<b>88.3</b>
<b>Crimes Against The Person</b>	<b>77,441</b>	<b>20.5</b>
Homicide and Related	419	0.1
Attempted Murder	325	0.1
Robbery	4,435	1.2
Kidnapping	275	0.1
Sexual Assault	5,388	1.4
Sexual Abuse	1,276	0.3
Major Assault	21,018	5.6
Abduction	125	< 0.1
Common Assault	44,180	11.7
<b>Crimes Against Property</b>	<b>94,707</b>	<b>25.0</b>
Break and Enter	12,719	3.4
Arson	575	0.2
Fraud	19,799	5.2
Possess Stolen Property	12,932	3.4
Theft	37,461	9.9
Property Damage/Mischief	11,221	3.0
<b>Other Criminal Code Violations</b>	<b>109,013</b>	<b>28.8</b>
Weapons	7,219	1.9
Administration of Justice	40,375	10.7
Public Order Offences	8,875	2.3
Morals-Sexual	4,801	1.3
Morals-Gaming	888	0.2
Unspecified Criminal Code	46,855	12.4
<b>Traffic</b>	<b>53,253</b>	<b>14.1</b>
Criminal Code Traffic	7,510	2.0
Impaired Driving	45,743	12.1
<b>Federal Statute Total</b>	<b>44,172</b>	<b>11.7</b>
<b>Drug Related Offences</b>	<b>21,458</b>	<b>5.7</b>
Trafficking	7,742	2.0
Possession	13,716	3.6
<b>Other Federal Statutes</b>	<b>22,714</b>	<b>6.0</b>

**Notes:** Data from the Adult Criminal Court Survey are not nationally comprehensive as they do not include New Brunswick, Manitoba, British Columbia and Nunavut for all years.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

<sup>4</sup> Federal statute offences refer to offences against Canadian federal statutes, such as the Customs Act, the Employment Insurance Act, Firearms Act, Food and Drugs Act (FDA), the Income Tax Act, and the Narcotic Control Act (NCA). This offence category excludes Criminal Code of Canada offences.

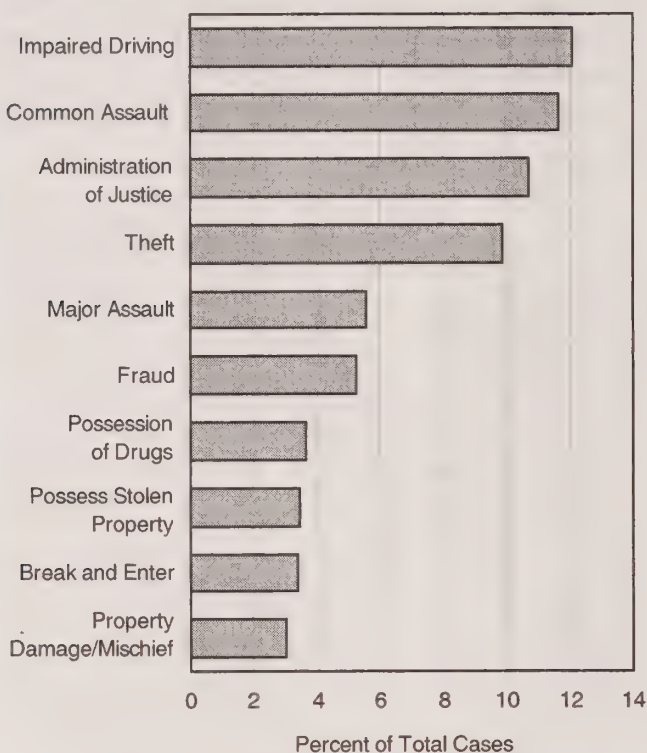
<sup>5</sup> There are three levels of assault in the Criminal Code. Common assault (Level 1 Assault, S. 266) is the least serious of the three types of assault in the Criminal Code. A common assault has been committed when an individual intentionally applies force or threatens to apply force to another person, without that person's consent. Major assault is an offence category that includes the higher levels of assault in the Criminal Code, assault with a weapon (Assault Level II, S. 267), aggravated assault (Assault Level III, S. 268), and other assaults (e.g., assaulting a police officer, and unlawfully causing bodily harm).



Figure 1

## Ten Most Frequent Offences Heard in Adult Criminal Court Nine provinces and territories in Canada, 1999/00

Offences



**Notes:** Data from the Adult Criminal Court Survey are not nationally comprehensive as they do not include New Brunswick, Manitoba, British Columbia and Nunavut for all years.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

accounted for significant percentages of cases included: offences against morals (40%, primarily soliciting), abduction (42%, mainly child related), fraud (28%), and theft (27%, including shoplifting). While the proportion of fraud and theft cases against females remained stable between 1998/99 and 1999/00, cases for abduction increased by 4 percentage points.

## Younger adults are over represented in court cases

Younger adults were over represented in court when comparing the age distribution of the offender to the age distribution of the adult population. In 1999/00, 18 to 24 year olds comprised 12% of the adult population, but accounted for 30% of all cases in adult criminal court. Offenders under 45 years of age accounted for 86% of the total cases heard in adult criminal court and only 54% of the adult population. In contrast, persons over 55 represented 28% of the adult population, but accounted for less than 5% of adult criminal court cases (Table 2).

## CASE PROCESSING

An important issue for the criminal justice system is the time taken to process a criminal case. The amount of time that elapses between the first and last court appearances will depend on many factors, including the complexity of the case, the number of days in which a judge is sitting in court, the degree of co-ordination of court resources, and lawyers' decisions regarding the appropriate course of action for their clients. Box 2 contains a brief description of some of the more common elements of the trial process.

### First court appearance is within 4 months of the offence date for 80% of the cases

In 1999/00, 41% of cases had a first appearance within 1 month of the crime being committed, and 80% had their first appearance within the first 4 months. Only 3% of the cases appeared in court on the same day as the alleged offence. Six percent of the cases had a first court appearance more than a year after the crime was committed.

### Sexual assault and sexual abuse cases take longer to get to court

The elapsed time between the offence date and the first appearance varies greatly depending on the particular offence.<sup>6</sup> While at the total offence level, 6% of accused persons had their first appearance more than a year after the crime was committed, in the Sexual Assault and Sexual Abuse offence categories, 25% and 35% of the cases (respectively) had their first appearance more than one year after the offence date. Twenty-three percent of fraud cases were heard for the

<sup>6</sup> Many factors can affect elapsed times, such as long delays in certain offences being reported to police (e.g., Sexual Assault), more extensive police investigations prior to the laying of charges or the accused avoiding apprehension.

Table 2

## Cases by Age of Accused, Nine Provinces and Territories in Canada, 1999/00

Offence Group	Total Cases	Age Group									
		18 to 24 #	%	25 to 34 #	%	35 to 44 #	%	45 to 54 #	%	55 plus #	%
<b>Total Offences</b>	<b>366,327</b>	<b>110,139</b>	<b>30.1</b>	<b>112,434</b>	<b>30.7</b>	<b>91,544</b>	<b>25.0</b>	<b>36,150</b>	<b>9.9</b>	<b>16,060</b>	<b>4.4</b>
<b>Criminal Code Total</b>	<b>324,365</b>	<b>94,578</b>	<b>29.2</b>	<b>100,366</b>	<b>30.9</b>	<b>82,607</b>	<b>25.5</b>	<b>32,416</b>	<b>10.0</b>	<b>14,398</b>	<b>4.4</b>
<b>Crimes Against The Person</b>	<b>74,804</b>	<b>19,026</b>	<b>25.4</b>	<b>24,340</b>	<b>32.5</b>	<b>20,621</b>	<b>27.6</b>	<b>7,593</b>	<b>10.2</b>	<b>3,224</b>	<b>4.3</b>
Homicide and Related	398	148	37.2	118	29.6	80	20.1	34	8.5	18	4.5
Attempted Murder	306	123	40.2	87	28.4	65	21.2	19	6.2	12	3.9
Robbery	4,313	1,996	46.3	1,352	31.3	778	18.0	168	3.9	19	0.4
Kidnapping	262	85	32.4	83	31.7	64	24.4	22	8.4	8	3.1
Sexual Assault	5,231	928	17.7	1,556	29.7	1,491	28.5	734	14.0	522	10.0
Sexual Abuse	1,225	193	15.8	327	26.7	350	28.6	204	16.7	151	12.3
Major Assault	20,516	6,187	30.2	6,655	32.4	5,155	25.1	1,772	8.6	747	3.6
Abduction	120	18	15.0	57	47.5	31	25.8	11	9.2	3	2.5
Common Assault	42,433	9,348	22.0	14,105	33.2	12,607	29.7	4,629	10.9	1,744	4.1
<b>Crimes Against Property</b>	<b>92,779</b>	<b>34,232</b>	<b>36.9</b>	<b>28,061</b>	<b>30.2</b>	<b>20,236</b>	<b>21.8</b>	<b>7,187</b>	<b>7.7</b>	<b>3,063</b>	<b>3.3</b>
Break and Enter	12,502	6,425	51.4	3,541	28.3	2,010	16.1	444	3.6	82	0.7
Arson	570	185	32.5	157	27.5	141	24.7	55	9.6	32	5.6
Fraud	19,197	5,394	28.1	7,012	36.5	4,581	23.9	1,686	8.8	524	2.7
Possess Stolen Property	12,692	5,602	44.1	3,859	30.4	2,307	18.2	731	5.8	193	1.5
Theft	36,829	12,131	32.9	10,231	27.8	8,902	24.2	3,606	9.8	1,959	5.3
Property Damage/Mischief	10,989	4,495	40.9	3,261	29.7	2,295	20.9	665	6.1	273	2.5
<b>Other Criminal Code Violations</b>	<b>103,871</b>	<b>31,295</b>	<b>30.1</b>	<b>33,161</b>	<b>31.9</b>	<b>26,101</b>	<b>25.1</b>	<b>9,498</b>	<b>9.1</b>	<b>3,816</b>	<b>3.7</b>
Weapons	6,930	2,282	32.9	1,858	26.8	1,498	21.6	826	11.9	466	6.7
Administration of Justice	39,710	13,199	33.2	13,016	32.8	9,446	23.8	3,044	7.7	1,005	2.5
Public Order Offences	8,803	3,391	38.5	2,867	32.6	1,799	20.4	540	6.1	206	2.3
Morals-Sexual	4,723	824	17.4	1,664	35.2	1,451	30.7	524	11.1	260	5.5
Morals-Gaming	771	47	6.1	214	27.8	210	27.2	169	21.9	131	17.0
Unspecified Criminal Code	42,934	11,552	26.9	13,542	31.5	11,697	27.2	4,395	10.2	1,748	4.1
<b>Traffic</b>	<b>52,911</b>	<b>10,025</b>	<b>18.9</b>	<b>14,804</b>	<b>28.0</b>	<b>15,649</b>	<b>29.6</b>	<b>8,138</b>	<b>15.4</b>	<b>4,295</b>	<b>8.1</b>
Criminal Code Traffic	7,438	1,599	21.5	2,474	33.3	2,049	27.5	907	12.2	409	5.5
Impaired Driving	45,473	8,426	18.5	12,330	27.1	13,600	29.9	7,231	15.9	3,886	8.5
<b>Federal Statute Total</b>	<b>41,962</b>	<b>15,561</b>	<b>37.1</b>	<b>12,068</b>	<b>28.8</b>	<b>8,937</b>	<b>21.3</b>	<b>3,734</b>	<b>8.9</b>	<b>1,662</b>	<b>4.0</b>
<b>Drug Related Offences</b>	<b>20,883</b>	<b>8,572</b>	<b>41.0</b>	<b>6,440</b>	<b>30.8</b>	<b>4,419</b>	<b>21.2</b>	<b>1,227</b>	<b>5.9</b>	<b>225</b>	<b>1.1</b>
Trafficking	7,446	2,372	31.9	2,552	34.3	1,800	24.2	584	7.8	138	1.9
Possession	13,437	6,200	46.1	3,888	28.9	2,619	19.5	643	4.8	87	0.6
<b>Other Federal Statutes</b>	<b>21,079</b>	<b>6,989</b>	<b>33.2</b>	<b>5,628</b>	<b>26.7</b>	<b>4,518</b>	<b>21.4</b>	<b>2,507</b>	<b>11.9</b>	<b>1,437</b>	<b>6.8</b>

**Notes:** Total Cases excludes cases where the age of the accused was unknown. Data from the Adult Criminal Court Survey are not nationally comprehensive as they do not include New Brunswick, Manitoba, British Columbia and Nunavut for all years and Northwest Territories for 1996/97.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.



## Box 2

### Case Processing

There are many paths that a criminal trial can take as it makes its way through adult criminal court in Canada. These variations in case processing depend on several factors including the seriousness of the offences being heard, and the elections made by the Crown and the accused. For most cases, the trial process in adult provincial/territorial criminal courts will include some or all of the elements listed below.

**First Appearance:** The first appearance in court is usually a bail hearing in provincial court, where the court must determine if the accused should be released pending trial. Most offences require the Crown to show that the accused is either a danger to the community or a risk to flee prosecution before a remand to custody order is given. However, several offences are classified as reverse onus offences, where the accused must show cause why his detention is not justified – C.C.C. s. 515 (6).

**Crown Elections:** The Crown is eligible to elect the type of proceeding for hybrid offences, which are also known as “dual procedure” offences. The defining Criminal Code sections for hybrid offences specify that the Crown may try the case in one of two ways; (1) as a summary conviction offence — the least serious offence type, which also carries a lower maximum penalty, or (2) as the more serious indictable offence. If the Crown elects to try the case as an indictable offence the accused faces the possibility of a prison sentence that, depending on the offence, ranges between no minimum sentence to life in prison.

**Defence Elections:** Where permitted under the *Criminal Code*, the accused may elect to be tried in adult provincial/territorial criminal court or in Superior Court – with or without a jury. If the accused elects to be tried in Superior Court, a preliminary inquiry may be held. (See preliminary hearings below). The defence is not eligible to elect the mode of trial for summary conviction offences, or offences identified under *Criminal Code* section 469 or 553. These *Criminal Code* sections identify offences that are the absolute jurisdiction of a single court level, Superior Court and provincial/territorial court respectively.

**Preliminary Hearings:** The purpose of the preliminary inquiry process is to determine if there is sufficient evidence in the case to proceed to trial in a higher court level, Superior Court. The provincial court judge will commit the case for trial in Superior Court if the evidence is compelling and there is a reasonable expectation of a judgement against the accused. However, if the evidence is not convincing, the judge must stop the proceedings against the accused – and the court finding will be recorded as “discharged at preliminary”.

The preliminary inquiry process is a way for the accused to review all of the Crown’s evidence before proceeding to the higher court. The defence is permitted to question all of the Crown witnesses and to review any prosecution exhibits related to the charges, which helps the accused’s council prepare for trial.

**Fitness Hearings:** When the accused’s mental health is brought into question, the court will order a psychiatric examination. In the fitness hearing that results, the accused will be found fit for trial or remanded in custody until the lieutenant governor of the province and territory permits release.

**Trial:** The trial begins with the accused entering a plea of guilty, guilty of a lesser charge, not guilty, or special plea (i.e., previous conviction, previous acquittal, or pardon — C.C.C. s.607). In some cases, the accused may refuse to enter a plea, and the court will enter a plea of not guilty on behalf of the accused. A guilty plea will usually result in an immediate conviction, but the court may also refuse to accept a guilty plea if that plea is given with conditions, or if the court feels that the accused does not understand that the plea is an admission of guilt.

A plea of not guilty will result in a trial, where the evidence against the accused is heard and the court will make a judgment on that evidence. The final disposition, or decision, of the court will be either 1) guilty of the offence charged, 2) guilty of an included offence, 3) not guilty of the charged offence, or 4) not guilty on account of insanity. The court may sentence the accused immediately following a finding of guilt; however, the court may also delay the sentencing to a later date so that all relevant factors can be considered prior to imposing a sentence on the accused.

first time after more than one year had passed. Conversely, 41% of total cases had a first appearance within one month of the crime being committed. For some offences, the proportion of cases being heard within one month were even higher: Kidnapping (68%), Attempted Murder (66%), Robbery (64%), Major Assault (58%), Common Assault (51%), Arson (50%), Weapons (54%), Public Order Offences (51%) and Drug Trafficking (53%) all had over one-half of the cases heard within the first four weeks after the date of the offence.

## Median elapsed time from first to last court appearance just over 4 months

The amount of time it takes to complete the processing of a case has always been an important issue for court administrators, but since the 1990 Supreme Court decision in *R. v. Askov*<sup>7</sup>, the case elapsed time issue is even more visible. In 1999/00, 18% of cases were dealt with at the first (and only) appearance. The median elapsed time from first to last appearance, for cases with more than one appearance, was slightly more than four months (123 days). Cases requiring more appearances took longer to complete. The median time for cases with four appearances was 105 days, and for cases with six or more appearances, 238 days (Table 3).

Table 3

Median Elapsed Time by Number of Appearances Nine Provinces and Territories in Canada, 1999/00		
# of Appearances	# Cases	Median (days)
One Appearance	69,658	-
Two Appearances	59,271	28
Three Appearances	52,909	67
Four Appearances	44,483	105
Five Appearances	35,339	140
Six or more Appearances	116,926	238
<b>Total</b>	<b>378,586</b>	<b>84</b>

**Notes:** Median elapsed time is measured from first to last court appearance. Data from the Adult Criminal Court Survey are not nationally comprehensive as they do not include New Brunswick, Manitoba, British Columbia and Nunavut for all years.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

## Ten percent of cases took more than 1 year to resolve

One third of cases were resolved within a month, and just less than half (45%) took more than one, but no more than eight months to complete in 1999/00. It took more than eight months and no more than twelve months to complete 12% of cases, and the elapsed time was more than one year in 10% of cases heard. The distribution of cases across these elapsed time categories has changed significantly in the last six years. The number of cases in each of the longest elapsed time categories (i.e., from eight months to twelve months, and more

than one year) has increased significantly since 1994/95. The largest increase occurred in the number of cases taking more than one year, which rose 16% since 1994/95, and the number of cases requiring from eight to twelve months which increased 6% over the same period.

Some offences take longer to resolve than others such as sexual abuse, sexual assault, gaming and homicide. Sexual assault and sexual abuse cases had a median elapsed time of 209 and 210 days respectively in 1999/00. In 1994/95, the median elapsed time for these types of cases was, respectively, 151 and 158 days. These median values can be compared to the overall median elapsed time for *Crimes against the person*, 99 days in 1994/95 and 126 days in 1999/00. Two of the shortest median elapsed times in 1999/00 occurred for administration of justice cases (27 days), possession of drugs (56 days) and the cases falling under *Other federal statutes* where the median elapsed time was 48 days.

Across all offences, 10% of cases needed more than one year to complete. At least twenty percent of the cases of sexual assault, sexual abuse, homicide and gaming offences required more than one year to complete. Drug trafficking required one year to complete in 19% of the cases. In 1994/95, only 7% of total cases needed more than one year to complete.

## Cases have become more complex since 1994/95

The percentage of cases taking six or more appearances increased from 23% to 31% over the past six years. This suggests that although the total number of cases being processed by the courts have been falling since 1994/95, the demand on court resources of these complex cases has increased. The number of case-appearances<sup>8</sup> has not declined with the declining number of cases being processed, and the mean number of appearances per case has increased 17%, from 4.1 appearances in 1994/95 to 4.8 appearances in 1999/00.

The composition of cases being heard is one factor that has contributed to this increase. Cases involving multiple charges require a higher mean number of appearances to be resolved than cases involving a single charge (5.2 appearances versus 4.4). From 1994/95 to 1999/00, multiple-charge cases have increased from 44% to 48% of cases heard in court. The largest increase in the proportion of multiple-charge cases occurred for public order offences, rising from 25% in 1994/95 to 51% in 1999/00. The percentage of multiple-charge cases declined for drug possession, impaired driving and gaming offences.

<sup>7</sup> 59 C.C.C. (3d) 449. In this decision, the Supreme Court affirmed the right of an accused to be brought to trial without excessive delay. Further clarification of the issue was provided in *R. v. Morin* (1992) 71 C.C.C. (3d) 193 (S.C.C.). The judgement in *Morin* suggested that an eight to ten month delay was tolerable between charges being laid and the subsequent trial in provincial court.

<sup>8</sup> One case appearance is counted for each day (e.g., 3 days in a row, continuous, equals 3 appearances) the most serious offence in the case appeared in court.



The proportion of cases with three or more charges has increased steadily, from 17% of all cases in 1994/95 to 21% in 1999/00. The number of multiple-charge cases with six or more appearances increased significantly from 27% of all cases to 35% of all cases during this same period.

## Cases are taking more time to process

The trend toward an increasing number of case appearances is having an impact on the time required to process cases in adult criminal court. Between 1994/95 and 1999/00, the overall median elapsed time from first to last appearance in court has increased 15% from 73 to 84 days, and the processing time for more complex cases (i.e., multiple-charge cases) has increased 10%, from 89 to 98 days. The median processing time for the least complex cases, those with a single charge, increased 17%, from 63 to 74 days.

## OVERVIEW OF CASE OUTCOMES

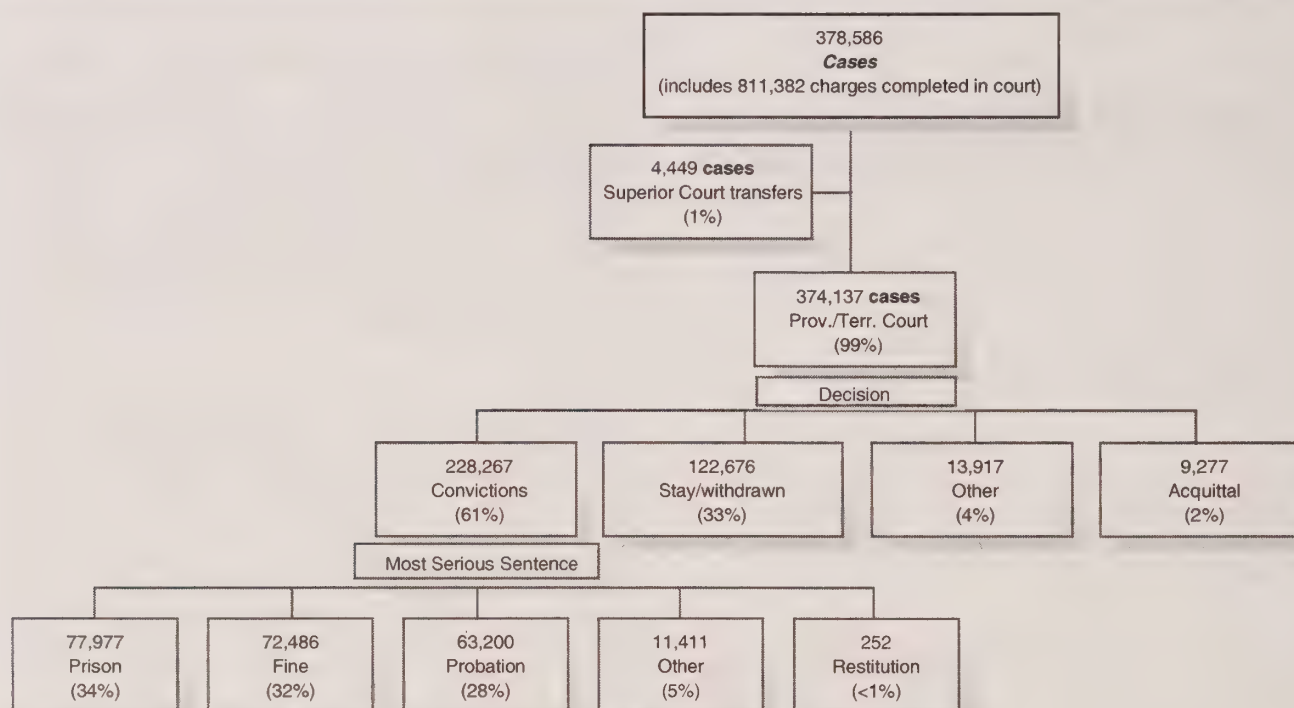
### Conviction rates stable over the period 1994/95 to 1999/00

A conviction was recorded in 61% of the 378,586 cases heard in court (**Figure 2**). One-third of the cases were resolved by the charges being stayed or withdrawn and only 2 % of the cases in 1999/00 resulted in the acquittal of the accused. The proportion of cases resulting in a conviction has varied by 3 percentage points over the past six years.<sup>9</sup>

<sup>9</sup> The calculation of conviction rates excludes cases where the last available disposition is a change in court level (i.e., Committed for Trial in Superior Court, and Re-election to Provincial Court). Dispositions of this type indicate an incomplete criminal trial process, where the guilt or innocence of the accused has not been determined.

Figure 2

### Adult court processing of Federal Statute cases Nine provinces and territories in Canada, 1999/00



**Notes:** The sentence was not known in 2,941 (1.3%) convicted cases in 1999/00.

Data from the Adult Criminal Court Survey are not nationally comprehensive as they do not include New Brunswick, Manitoba and British Columbia and Nunavut for all years.

Superior Court transfers represent cases where the last available disposition is a change in court level (i.e., Committed for Trial in Superior Court, and Re-election to Provincial Court). Dispositions of this type indicate an incomplete criminal trial process, where the guilt or innocence of the accused has not been determined.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

## Box 3

### Dispositions in Adult Provincial/Territorial Criminal Court

The disposition categories in this report are as follows:

- **Guilty** includes guilty of the charged offence, of an included offence, of an attempt of the charged offence, or of an attempt of an included offence.
- **Superior Court** represents criminal proceedings that have been transferred to another level of court. This includes cases in provincial/territorial criminal court that are transferred to Superior Court, and Superior Court cases that have as their final appearance a re-election back to provincial court. In 1999/00, Alberta and the Yukon were the only jurisdictions supplying criminal trial data from Superior court, and the only jurisdictions reporting data on the re-election of cases back to provincial court.
- **Stay/Withdrawn/Dismissed** includes stay of proceedings, and withdrawn/dismissed at preliminary inquiry. These dispositions all refer to the court stopping criminal proceedings against the accused.
- **Acquitted** means that the accused has been found not guilty of the charges presented before the court.
- **Other Disposition** includes found not criminally responsible, waived in province/territory, and waived out of province/territory. This category also includes any order that does not carry a conviction, the court's acceptance of a special plea, cases which raise Charter arguments and cases where the accused was found unfit to stand trial.

## Conviction rates vary by offence group

Traffic offences had the highest conviction rate (76%) in 1999/00. (Figure 3). Several factors impact on changing conviction rates for different categories of offences. For example, some crimes may be easier to prove than others, depending on the number and availability of witnesses and the complexity of evidence presented by the Crown. As well, the number of charges the police lay for each incident will influence the number of charges coming into court and may have an impact on the distribution of case dispositions if some charges are dropped.

On average, 53% of all cases involving violence (or the threat of violence) resulted in a conviction (Figure 4). As can be seen, there was considerable variability, with the conviction rates ranging from a low of 28% for attempted murder to over 61% for robbery and 60% for sexual abuse. In contrast to *Crimes against the person*, there was considerable uniformity in the conviction rates for property offences (63%) (Figure 5).

### Prince Edward Island, Quebec and Newfoundland have higher conviction rates

As can be seen in Table 4, the overall conviction rate was highest in Prince Edward Island<sup>10</sup> (76%), Quebec (74%), and Newfoundland (73%), and significantly lower in Nova Scotia (54%), Ontario (56%) and the Yukon (57%).

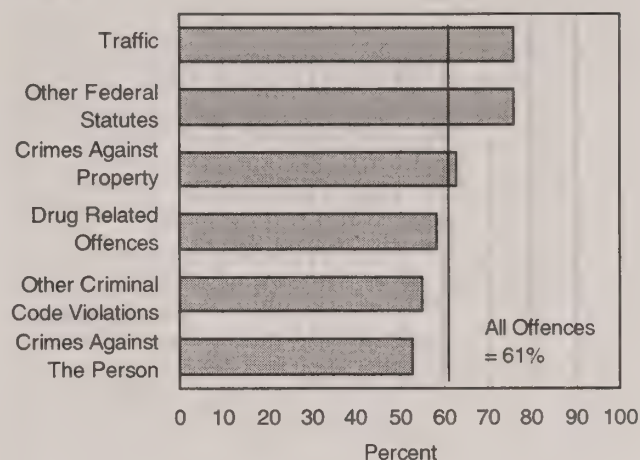
<sup>10</sup> During 1999/00, Prince Edward Island was in the process of changing its justice information system, and some court information was not entered prior to the extraction of data for the ACCS. The level of under coverage resulting from late data capture is not known at this time.

Figure 3

### Case conviction rates

Nine provinces and territories in Canada, 1999/00

Offences



**Notes:** Data from the Adult Criminal Court Survey are not nationally comprehensive as they do not include New Brunswick, Manitoba, British Columbia and Nunavut for all years.

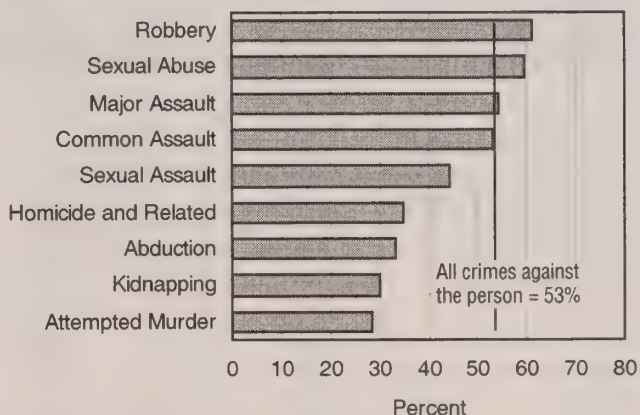
**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Figure 4

### Conviction rate for cases with a crime against the person as the most serious offence in the case

Nine provinces and territories in Canada, 1999/00

Offences



**Notes:** Data from the Adult Criminal Court Survey are not nationally comprehensive as they do not include New Brunswick, Manitoba, British Columbia and Nunavut for all years.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

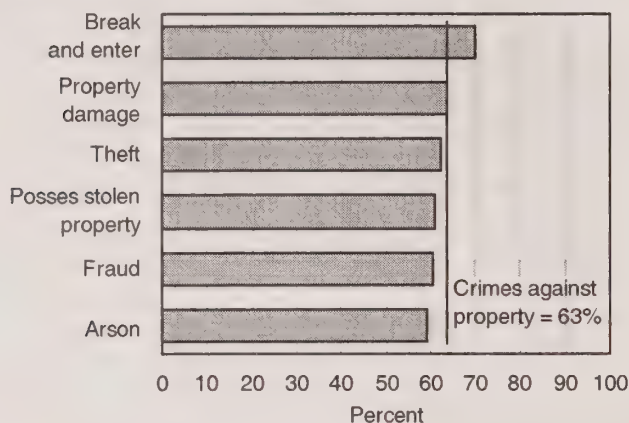


Figure 5

## Conviction rate for cases with a property offence as the most serious offence in the case

Nine provinces and territories in Canada, 1999/00

Offences



**Notes:** Data from the Adult Criminal Court Survey are not nationally comprehensive as they do not include New Brunswick, Manitoba, British Columbia and Nunavut for all years.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

There are several possible factors that influence the variations in the conviction rates between the provinces with high conviction rates and the provinces with lower conviction rates. First, some jurisdictions use diversion and alternative measures to a greater extent, which affects the number and types of cases that proceed to court. Secondly, the use of

stays and withdrawals of charges also varies across the country, and this will have an impact on the percentage of cases in which a conviction is recorded. For example, 41% of cases were stayed or withdrawn in Ontario, whereas only 11% were terminated in this way in Quebec. Thirdly, the use of pre-charge screening by the Crown, which occurs in Quebec, may also affect the percentage of convictions through increased vetting of charges.<sup>11</sup> Finally, the number of charges laid against an individual in relation to similar incidents may vary from one jurisdiction to another. For example, the same criminal incident may result in one charge (e.g., major assault) in one jurisdiction, and two charges (e.g., major assault and attempted murder) in another jurisdiction.

When presented with multiple charges for a single incident, the Crown may choose to proceed with all the charges, or with the charge(s) having the strongest evidence. If the Crown chooses to drop one or more charges against the accused prior to the completion of all charges, the result may be a second case for the accused.<sup>12</sup> For example, the police may lay two or three charges for a single incident, and the Crown may choose to proceed with one charge and drop the others. Thus, the low conviction rate in some jurisdictions may be influenced by multiple charging by police, combined with the Crown's discretion on how to proceed in trying the charges against the accused.

<sup>11</sup> New Brunswick and British Columbia also have pre-charge screening, but these jurisdictions do not report to the Adult Criminal Court Survey.

<sup>12</sup> The charges that proceed to court are combined into a case based on the last court date, and therefore any charge that has been completed early, (i.e., stayed or withdrawn due to alternative measures, or charge selection by the Crown) may appear as one case against the accused, and all charges completed at trial would form a second case for the ACCS.

Table 4

## Cases by Disposition, Nine Provinces and Territories in Canada, 1999/00

Jurisdiction	Total Cases	Disposition							
		Guilty		Other		Stay/Withdrawn		Acquitted	
		#	%	#	%	#	%	#	%
<b>Total</b>	<b>374,137</b>	<b>228,267</b>	<b>61.0</b>	<b>13,917</b>	<b>3.7</b>	<b>122,676</b>	<b>32.8</b>	<b>9,277</b>	<b>2.5</b>
Newfoundland	6,511	4,730	72.6	181	2.8	1,590	24.4	10	0.2
Prince Edward Island	1,544	1,177	76.2	7	0.5	342	22.2	18	1.2
Nova Scotia	16,196	8,669	53.5	859	5.3	6,117	37.8	551	3.4
Quebec	71,598	52,724	73.6	4,423	6.2	7,877	11.0	6,574	9.2
Ontario	188,418	106,186	56.4	4,462	2.4	76,868	40.8	902	0.5
Saskatchewan	26,501	16,114	60.8	863	3.3	9,223	34.8	301	1.1
Alberta	60,449	36,851	61.0	3,008	5.0	19,704	32.6	886	1.5
Yukon	1,384	786	56.8	96	6.9	476	34.4	26	1.9
Northwest Territories	1,536	1,030	67.1	18	1.2	479	31.2	9	0.6

**Notes:** The calculation of conviction rates excludes cases with final dispositions of 'Committ for Trial in Superior court' and 'Re-election to Provincial Court'. Data from the Adult Criminal Court Survey are not nationally comprehensive as they do not include New Brunswick, Manitoba, British Columbia and Nunavut for all years.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

## SENTENCING PATTERNS

Determining the sentence to be imposed is one of the most complex and challenging decisions for a court (see **Box 4**). At sentencing, the court will seek to impose a sentence that is a reflection of the purpose, objectives and principles of the sentencing process. Since 1996, the *Criminal Code* contains a section that outlines these purposes and principles of sentencing. (Section 718).

### Box 4

#### Principal Sentencing Options in Canada

**Fines:** When a fine is imposed, the offender is ordered to pay a certain amount to the province, territory or the federal government. An offender may be fined in lieu of another punishment, (unless the offender has been convicted of an offence which carries a minimum term of imprisonment, or a maximum penalty of more than 5 years).

**Probation:** An offender sentenced to a term of probation remains in the community, but is subject to a number of conditions for the duration of the probation order. Some conditions are compulsory and apply to all offenders on probation. These include keeping the peace and appearing before the court when required to do so. The optional conditions vary from case to case, and can include performing community service, abstaining from the consumption of alcohol and providing for the support of dependants. Violating the conditions of a probation order is a criminal offence<sup>1</sup>.

**Imprisonment:** This involves a term of custody served in a provincial/ territorial or federal institution. Sentences of two years or more are served in a federal penitentiary, while terms of less than two years are served in provincial correctional facilities. Sentences of 90 days or less can be served intermittently, which usually means on weekends.

**Conditional sentence of imprisonment:** This sentencing option came into effect under Bill C-41 in September 1996. When a conditional sentence is imposed, the offender serves their sentence in the community under supervision. Among the prerequisites for the imposition of a conditional sentence, the offence must not have a prescribed minimum sentence, the sentence of imprisonment must be under 2 years and the court needs to be satisfied that the offender would not endanger the safety of the community. As part of the sentence the court may apply other sanctions such as the abstention of drinking alcohol, performing community service or attending treatment programs.

In addition to these principal sanctions, judges have many other sentencing options<sup>2</sup>, such as conditional and absolute discharges, compensation orders, restitution orders, and orders to prohibit the offender from driving or possessing a weapon. Judges may impose more than one sanction per charge, but there are rules governing the specific combinations of sanctions that may be imposed.

<sup>1</sup> Criminal Code, Section 733.1 (1).

<sup>2</sup> For more information on sentencing options, see A. Edgar (1999) *Sentencing Options in Canada*. In: *Making Sense of Sentencing*. Toronto: University of Toronto Press.

### Probation was the most common sentence in 1999/00

A term of probation was the most frequent sentence, imposed in 42% of all cases with a conviction. A fine was imposed in 39% of all cases, while a prison term was imposed in 34% of cases.<sup>13</sup> A high percentage of cases (43%) received what are classified as "other sentences". This category of sentence includes: conditional sentences, absolute discharges, conditional discharges, suspended sentences, licence suspensions, prohibitions against the ownership of firearms, and other court-ordered sanctions.

### Incarceration used most frequently for *Crimes against property*

Incarceration was imposed as a sentence for slightly more than one third (34%) of all cases. In 1999/00, 38% of convicted *Crimes against the person* cases were sentenced to prison. One factor to be considered when examining the use of incarceration in this category is that common assault — the least serious form of assault with a relatively low use of incarceration (28%) — represents the majority (58%) of convicted cases in the *Crimes against the person* category. When common assault is removed, the remainder of the *Crimes against the person* category has a much higher use of incarceration (53%). **Table 5** provides information relating to the type of sentence for the most serious offence from 1994/95 to 1999/00.

### Majority of offenders convicted of break and enter were sentenced to prison

Offenders were sentenced to prison in 40% of the convicted *Crimes against property* cases. Persons committing these offences tend to have longer criminal histories, and after the seriousness of the crime, an offender's criminal history is one of the most important factors considered by the court when determining the sanction to be imposed. Prison was frequently used as a sanction for convictions in several high volume property offences. For example, 61% of convicted break and enter cases were sentenced to prison, 38% of theft convictions, and more than a third (34%) of fraud convictions resulted in a prison sentence.

Similarly, *Other Criminal Code* cases, which were sentenced to prison in 43% of convicted cases, were dominated by offences related to the criminal history of the accused. This offence category includes administration of justice offences, which are high frequency offences related to case processing (e.g., failure to appear in court, and failure to comply with a probation order). The courts consider administration of justice offences to be very serious, and the majority (56%) of such cases were sentenced to prison.

<sup>13</sup> Cases can have more than one sentence. Therefore, sanctions are not mutually exclusive and will not add to 100%.



Table 5



**Convicted Cases by Type of Sentence for the Most Serious Offence in the Case  
Nine Provinces and Territories in Canada, 1994/95 to 1999/00**

Type of Sentence for Most Serious Offence

Fiscal Year	Convicted Cases	Prison		Probation		Fine	
		#	%	#	%	#	%
<b>1994/95 Total</b>	<b>270,874</b>	<b>88,690</b>	<b>32.7</b>	<b>98,891</b>	<b>36.5</b>	<b>127,541</b>	<b>47.1</b>
<b>Criminal Code Total</b>	<b>233,709</b>	<b>82,378</b>	<b>35.2</b>	<b>93,546</b>	<b>40.0</b>	<b>100,262</b>	<b>42.9</b>
Crimes Against The Person	40,194	15,710	39.1	26,707	66.4	9,862	24.5
Crimes Against Property	73,398	26,823	36.5	36,871	50.2	23,814	32.4
Other Criminal Code Violations	59,636	24,769	41.5	18,793	31.5	21,682	36.4
Traffic	60,481	15,076	24.9	11,175	18.5	44,904	74.2
<b>Other Federal Statutes</b>	<b>37,165</b>	<b>6,312</b>	<b>17.0</b>	<b>5,345</b>	<b>14.4</b>	<b>27,279</b>	<b>73.4</b>
Drug Related Offences	16,733	5,092	30.4	4,541	27.1	8,752	52.3
Other Federal Statutes	20,432	1,220	6.0	804	3.9	18,527	90.7
<b>1995/96 Total</b>	<b>270,204</b>	<b>88,586</b>	<b>32.8</b>	<b>103,368</b>	<b>38.3</b>	<b>121,499</b>	<b>45.0</b>
<b>Criminal Code Total</b>	<b>232,102</b>	<b>81,992</b>	<b>35.3</b>	<b>96,717</b>	<b>41.7</b>	<b>94,366</b>	<b>40.7</b>
Crimes Against The Person	42,576	16,969	39.9	28,765	67.6	9,806	23.0
Crimes Against Property	72,895	27,077	37.1	36,993	50.7	21,909	30.1
Other Criminal Code Violations	59,358	23,902	40.3	19,878	33.5	20,538	34.6
Traffic	57,273	14,044	24.5	11,081	19.3	42,113	73.5
<b>Other Federal Statutes</b>	<b>38,102</b>	<b>6,594</b>	<b>17.3</b>	<b>6,651</b>	<b>17.5</b>	<b>27,133</b>	<b>71.2</b>
Drug Related Offences	18,531	5,521	29.8	5,841	31.5	9,360	50.5
Other Federal Statutes	19,571	1,073	5.5	810	4.1	17,773	90.8
<b>1996/97 Total</b>	<b>261,644</b>	<b>86,026</b>	<b>32.9</b>	<b>106,872</b>	<b>40.8</b>	<b>115,034</b>	<b>44.0</b>
<b>Criminal Code Total</b>	<b>225,322</b>	<b>79,844</b>	<b>35.4</b>	<b>99,805</b>	<b>44.3</b>	<b>89,338</b>	<b>39.6</b>
Crimes Against The Person	41,383	16,309	39.4	29,522	71.3	8,553	20.7
Crimes Against Property	71,870	26,599	37.0	38,174	53.1	20,162	28.1
Other Criminal Code Violations	57,792	24,287	42.0	20,972	36.3	19,000	32.9
Traffic	54,277	12,649	23.3	11,137	20.5	41,623	76.7
<b>Other Federal Statutes</b>	<b>36,322</b>	<b>6,182</b>	<b>17.0</b>	<b>7,067</b>	<b>19.5</b>	<b>25,696</b>	<b>70.7</b>
Drug Related Offences	18,515	5,143	27.8	6,229	33.6	9,585	51.8
Other Federal Statutes	17,807	1,039	5.8	838	4.7	16,111	90.5
<b>1997/98 Total</b>	<b>250,073</b>	<b>82,668</b>	<b>33.1</b>	<b>106,438</b>	<b>42.6</b>	<b>103,498</b>	<b>41.4</b>
<b>Criminal Code Total</b>	<b>218,583</b>	<b>76,877</b>	<b>35.2</b>	<b>99,295</b>	<b>45.4</b>	<b>82,550</b>	<b>37.8</b>
Crimes Against The Person	42,105	15,847	37.6	30,506	72.5	7,629	18.1
Crimes Against Property	65,643	24,670	37.6	35,978	54.8	16,688	25.4
Other Criminal Code Violations	59,204	24,898	42.1	22,443	37.9	18,323	30.9
Traffic	51,631	11,462	22.2	10,368	20.1	39,910	77.3
<b>Other Federal Statutes</b>	<b>31,490</b>	<b>5,791</b>	<b>18.4</b>	<b>7,143</b>	<b>22.7</b>	<b>20,948</b>	<b>66.5</b>
Drug Related Offences	11,490	3,159	27.5	4,210	36.6	5,718	49.8
Other Federal Statutes	20,000	2,632	13.2	2,933	14.7	15,230	76.2
<b>1998/99 Total</b>	<b>240,653</b>	<b>84,011</b>	<b>34.9</b>	<b>100,897</b>	<b>41.9</b>	<b>95,989</b>	<b>39.9</b>
<b>Criminal Code Total</b>	<b>209,923</b>	<b>77,918</b>	<b>37.1</b>	<b>93,783</b>	<b>44.7</b>	<b>75,825</b>	<b>36.1</b>
Crimes Against The Person	42,654	16,787	39.4	30,786	72.2	7,190	16.9
Crimes Against Property	63,580	26,098	41.0	33,571	52.8	15,370	24.2
Other Criminal Code Violations	60,453	26,381	43.6	22,209	36.7	18,865	31.2
Traffic	43,236	8,652	20.0	7,217	16.7	34,400	79.6
<b>Other Federal Statutes</b>	<b>30,730</b>	<b>6,093</b>	<b>19.8</b>	<b>7,114</b>	<b>23.2</b>	<b>20,164</b>	<b>65.6</b>
Drug Related Offences	12,004	3,455	28.8	3,411	28.4	6,004	50.0
Other Federal Statutes	18,726	2,638	14.1	3,703	19.8	14,160	75.6
<b>1999/00 Total</b>	<b>228,267</b>	<b>77,977</b>	<b>34.2</b>	<b>96,761</b>	<b>42.4</b>	<b>89,556</b>	<b>39.2</b>
<b>Criminal Code Total</b>	<b>199,066</b>	<b>72,349</b>	<b>36.3</b>	<b>89,587</b>	<b>45.0</b>	<b>71,095</b>	<b>35.7</b>
Crimes Against The Person	40,055	15,312	38.2	29,144	72.8	6,587	16.4
Crimes Against Property	58,959	23,532	39.9	31,542	53.5	14,076	23.9
Other Criminal Code Violations	59,796	25,847	43.2	22,325	37.3	18,223	30.5
Traffic	40,256	7,658	19.0	6,576	16.3	32,209	80.0
<b>Other Federal Statutes</b>	<b>29,201</b>	<b>5,628</b>	<b>19.3</b>	<b>7,174</b>	<b>24.6</b>	<b>18,461</b>	<b>63.2</b>
Drug Related Offences	12,097	3,008	24.9	3,170	26.2	6,338	52.4
Other Federal Statutes	17,104	2,620	15.3	4,004	23.4	12,123	70.9

**Notes:** The sentence types presented are not mutually exclusive, and will not add to 100. Data from this survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

## Use of imprisonment varies considerably across the country

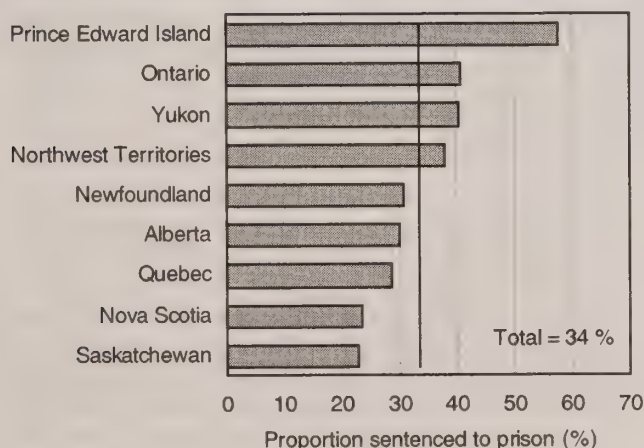
As in previous years, considerable variation emerged in the use of different sanctions across the country. For example, 57% of cases with convictions in Prince Edward Island resulted in a term of imprisonment, while prison was imposed in only about one-quarter of cases in Saskatchewan (23%) and Nova Scotia (24%) (see **Figure 6**). This variation in the use of incarceration reflects the influence of several factors. First, the mix of offences being sentenced can vary from jurisdiction to jurisdiction. If a particular jurisdiction has a higher than average percentage of the more serious crimes, it may also have a higher than average overall percentage of cases being sent to prison. Secondly, courts in different parts of the country may use incarceration in different ways. In Prince Edward Island, for example, first offenders convicted of impaired driving are frequently sent to prison. Since this offence category accounts for almost 30% of convicted cases in the province, the overall proportion of cases sentenced to prison in Prince Edward Island will be higher than the national average. Ninety-one percent of all impaired driving convictions in Prince Edward Island resulted in incarceration. This is by far the highest in Canada followed by Ontario with 21%. The lowest rate of incarceration occurred in Nova Scotia where 4% of the convicted impaired drivers were incarcerated.

## Little change in proportion of cases sentenced to prison between 1994/95 and 1999/00

The proportion of cases where prison was used as a sanction remained virtually unchanged, at 33% in 1994/95 and 34% in 1999/00.<sup>14</sup> (**Table 5**) However, some variability was evident at the offence level. For example, in the *Crimes against the*

Figure 6

**Proportion of convicted cases sentenced to prison for the most serious offence in the case**  
**Nine provinces and territories in Canada, 1999/00**



**Notes:** Data from the Adult Criminal Court Survey are not nationally comprehensive as they do not include New Brunswick, Manitoba, British Columbia and Nunavut for all years.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

*person* category, the largest decrease in the incarceration rate occurred for robbery offences where 77% of convicted cases resulted in a prison sentence in 1999/00, down from 89% in 1994/95. The incarceration rate for major assaults dropped from 58% to 47% during the same period. The only offence showing an increased incarceration rate was homicide, where prison was ordered in 89% of cases, up from 86% six years earlier.

In the *Crimes against property* category, two offences showed notable change between 1994/95 and 1999/00. The largest changes occurred for break and enter, where the proportion of cases being sentenced to prison dropped from 67% to 61%. In contrast, theft offences saw an increase in the incarceration rate, growing from 30% in 1994/95 to 38% in 1999/00.

## Most terms of imprisonment are relatively short

Almost half (48%) of all custodial sentences imposed in 1999/00 were one month or less, while an additional 34% were for periods from one month to six months. Four percent of custodial sentences were for a term of two years or longer (**Table 6**).

## Some offences show significant increases in prison sentence lengths

The median prison sentence length for *Criminal Code* offences has been 30 days for five of the past 6 years. Only in 1998/99 did the median prison length increase, moving up slightly to 31 days. While the overall prison sentence length has remained stable, there has been movement in median sentence lengths for some offences. For instance, the median prison sentence for homicide offences rose by 20%, from 1,825 days in 1994/95 to 2,190 in 1999/00. (see **Table 7**). However, the largest increases during this period were for Sexual Assault and Common Assault offences. The median prison sentence increased from 240 to 300 days for sexual assault, and from 30 to 45 days for common assault.

## Effects of mandatory minimum sentences

In 1996, mandatory minimum prison sentences were attached to ten offences committed with a firearm. If a firearm is used in the commission of one of these designated offences, the court is obliged to sentence the offender to a prison term of at least four years. Prior to 1996, these offences carried no minimum punishment, even if a firearm was used.

The mandatory minimum for these offences has had little impact on overall sentencing patterns. Statistics for robbery provide a good illustration. Despite the mandatory minimum, the percentage of persons convicted of robbery and sentenced to imprisonment for at least four years was almost unchanged since 1994/95 (17% from 1994/95 to 1998/99, and 16% in 1999/00).

<sup>14</sup> The trend in actual admissions to correctional facilities indicates that the proportion going into custody is decreasing. It is important to note however that many cases not involving supervision do not form part of the correction caseload, while they are integral components of court caseload (e.g., fines). Given that the rate of decrease of unsupervised dispositions is substantially higher than supervised dispositions, adult criminal court caseload can indicate an increased proportion of sentences to prison, while adult correctional caseload indicates the opposite.



Table 6

**Cases by Length of Prison  
Nine Provinces and Territories in Canada, 1994/95 to 1999/00**

		Length of Prison Sentence											
Fiscal Year	Cases With Prison	1 month or less		>1 to 6 months		>6 to 12 months		>1 to <2 years		2 years or more		Unknown	
		#	%	#	%	#	%	#	%	#	%	#	%
1994/95	88,690	44,340	50.0	31,921	36.0	4,999	5.6	2,426	2.7	2,417	2.7	2,587	2.9
1995/96	88,586	43,096	48.6	32,891	37.1	5,345	6.0	2,726	3.1	2,741	3.1	1,787	2.0
1996/97	86,026	41,922	48.7	31,664	36.8	5,405	6.3	2,733	3.2	2,746	3.2	1,556	1.8
1997/98	82,668	39,959	48.3	30,135	36.5	5,369	6.5	2,676	3.2	2,649	3.2	1,880	2.1
1998/99	84,011	39,415	46.9	29,569	35.2	5,272	6.3	2,788	3.3	3,162	3.8	3,805	4.3
1999/00	77,977	37,389	47.9	26,815	34.4	4,620	5.9	2,396	3.1	2,911	3.7	3,846	4.9

**Notes:** Due to rounding, percentages may not add to 100. Data from this survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

A closer examination of firearms cases for 1999/00 shows that sentencing practices respect the four year minimum sentence, but that the number of cases is too low to dramatically impact the sentencing statistics for the larger offence category. For example, robbery had the largest number of cases with a firearm — 81 cases sentenced to prison in 1999/00 where robbery with a firearm was the most serious offence in the case. This represents 4% of all robbery cases sentenced to prison for this year (1,898), which is a proportion of total convictions that is too small to influence the median prison sentence length. Since the enactment of the mandatory minimum legislation in 1996, the median length of prison sentence for robbery cases has remained stable at 540 days.

### The number of cases sentenced to prison declined between 1994/95 and 1999/00

During the last six years, the number of cases sentenced to prison has declined 12%, from 88,690 in 1994/95 to 77,977 cases in 1999/00. The reasons for this decrease may include: (i) the decline in the number of crimes reported to the police, (ii) the fall in the number of cases heard in court, and (iii) the decrease in the number of recorded convictions (-16%). Further, the decline in cases sentenced to prison is reflected in the declining number of sentenced admissions to provincial/territorial custody between 1994/95 and 1999/00.<sup>15</sup>

### Use of probation

In 1999/00, as can be seen in **Table 5**, *Crimes against the person* were most likely to attract a sentence of probation. Almost three-quarters (73%) of convicted cases in this category were sentenced to a term of probation, compared to 54% of offenders convicted of a *Crime against property*. It should be noted that a substantial proportion of cases involving a *Crime against the person* received probation in addition to a term of imprisonment.

### Trends in the use of probation

In recent years, adult criminal courts have been using probation more often as a sanction. Between 1994/95 and 1998/99, the rate of guilty cases receiving a probation sentence increased from 37% to 42%. This rate remained stable in 1999/00. Among all offence groups, the largest increase between 1994/95 and 1999/00 occurred for *Crimes against the person* where the rate of probation for guilty cases increased from 66% to 73%. Within this and all categories, attempted murder offences showed the largest change, with the proportion of convicted cases receiving probation increasing from 11% to 35%. Morals-sexual (mainly prostitution related crimes), showed the second largest change, where 45% of convicted cases received probation in 1999/00 compared to 30% in 1994/95.

### Length of probation terms stable over past six years

While the relative use of probation has increased over the past six years, there has been little change in the length of probation orders. The overall median length of all probation orders in 1999/00 was 365 days. (see **Table 7**).

<sup>15</sup> Many sentences imposed by the courts do not involve supervision, and as a result do not form part of the correctional caseload (e.g., fines). Furthermore, the proportion of cases sentenced to prison is a function of the number of cases with a finding of guilt. This includes cases requiring no supervision after sentencing, which would not necessarily be a part of the correctional workload. It is also possible that a single correction's admission could result from more than one convicted court case. For these reasons, the adult criminal court caseload can indicate an increased proportion of sentences to prison, while adult correctional caseload indicates the opposite. See the methodology section for more details on the comparisons between the ACCS and the Adult Correctional Services (ACS) Survey.

Table 7

**Cases by median length of sentence, probation and fine amount  
Nine Provinces and Territories in Canada, 1994/95 to 1999/00**

Offence Group	1994/95			1995/96			1996/97			1997/98			1998/99			1999/00		
	Prison <sup>1</sup> Probation		Fine	Prison <sup>1</sup> Probation		Fine	Prison <sup>1</sup> Probation		Fine	Prison <sup>1</sup> Probation		Fine	Prison Probation		Fine	Prison Probation		Fine
	median (days)	median (days)	median (\$)	median (days)	median (days)	median (\$)	median (days)	median (days)	median (\$)	median (days)	median (days)	median (\$)	median (days)	median (days)	median (\$)	median (days)	median (days)	median (\$)
<b>Total Offences</b>	<b>30</b>	<b>365</b>	<b>300</b>	<b>40</b>	<b>365</b>	<b>300</b>	<b>40</b>	<b>365</b>	<b>300</b>	<b>40</b>	<b>365</b>	<b>300</b>	<b>45</b>	<b>365</b>	<b>300</b>	<b>30</b>	<b>365</b>	<b>300</b>
<b>Criminal Code Total</b>	<b>30</b>	<b>365</b>	<b>300</b>	<b>30</b>	<b>365</b>	<b>300</b>	<b>30</b>	<b>365</b>	<b>300</b>	<b>30</b>	<b>365</b>	<b>350</b>	<b>31</b>	<b>365</b>	<b>350</b>	<b>30</b>	<b>365</b>	<b>400</b>
<b>Crimes Against The Person</b>	<b>60</b>	<b>365</b>	<b>300</b>	<b>69</b>	<b>365</b>	<b>300</b>	<b>90</b>	<b>365</b>	<b>300</b>	<b>90</b>	<b>365</b>	<b>300</b>	<b>90</b>	<b>365</b>	<b>300</b>	<b>90</b>	<b>365</b>	<b>300</b>
Homicide and Related	1,825	730	300	2,555	1,095	450	2,190	730	250	2,555	730	275	2,190	913	525	2,190	725	500
Attempted Murder	2,190	725	-	1,825	1,095	-	900	1,080	500	1,148	730	-	1,080	1,095	11,750	1,620	1,095	1,000
Robbery	728	730	250	600	730	200	540	730	300	540	730	350	540	730	300	540	730	300
Kidnapping	210	730	500	150	730	500	180	730	1,500	180	730	425	270	730	350	180	730	500
Sexual Assault	240	730	500	240	730	500	270	730	500	270	730	500	360	730	500	300	730	500
Sexual Abuse	180	730	500	165	730	500	180	730	500	240	730	500	210	730	500	240	730	500
Major Assault	90	540	350	90	540	300	90	540	300	90	540	300	90	540	350	90	450	325
Abduction	135	365	625	75	540	250	180	730	125	89	720	450	30	730	600	180	453	50
Common Assault	30	365	299	30	365	300	30	365	250	45	365	300	45	365	300	45	365	300
<b>Crimes Against Property</b>	<b>60</b>	<b>365</b>	<b>200</b>	<b>60</b>	<b>365</b>	<b>200</b>	<b>60</b>	<b>365</b>	<b>200</b>	<b>60</b>	<b>365</b>	<b>200</b>	<b>60</b>	<b>365</b>	<b>200</b>	<b>60</b>	<b>365</b>	<b>200</b>
Break and Enter	180	730	300	180	730	300	180	730	300	180	720	300	180	540	300	180	540	300
Arson	180	730	500	270	730	500	270	730	500	270	730	325	285	730	300	300	730	500
Fraud	60	365	200	60	450	200	60	450	200	60	365	200	70	365	200	60	365	250
Possess Stolen Property	60	365	300	60	365	300	60	365	300	60	365	300	60	365	300	60	365	300
Theft	30	365	150	30	365	200	30	365	200	30	365	200	30	365	200	30	365	200
Property Damage/Mischief	30	365	200	30	365	200	30	365	200	30	365	200	30	365	200	30	365	200
<b>Other Criminal Code</b>	<b>30</b>	<b>365</b>	<b>150</b>	<b>30</b>	<b>365</b>	<b>175</b>	<b>30</b>	<b>365</b>	<b>200</b>	<b>30</b>	<b>365</b>	<b>200</b>	<b>30</b>	<b>365</b>	<b>200</b>	<b>30</b>	<b>365</b>	<b>200</b>
Weapons	60	365	250	60	540	200	60	365	200	90	365	200	60	365	250	60	365	250
Administration of Justice	21	365	100	20	365	145	20	365	150	20	365	150	20	365	150	17	365	150
Public Order Offences	15	360	200	15	360	200	15	360	200	15	360	200	30	360	200	30	360	200
Morals-Sexual	15	365	200	15	365	200	15	365	200	10	365	200	12	365	200	10	365	200
Morals-Gaming	1	360	500	..	360	500	3	360	750	7	360	750	16	360	1,000	90	360	1,000
Unspecified Criminal Code	30	365	200	30	365	200	30	365	200	30	365	200	30	365	200	30	365	200
<b>Traffic</b>	<b>30</b>	<b>360</b>	<b>500</b>	<b>30</b>	<b>360</b>	<b>500</b>	<b>30</b>	<b>360</b>	<b>500</b>	<b>30</b>	<b>360</b>	<b>500</b>	<b>30</b>	<b>360</b>	<b>500</b>	<b>30</b>	<b>360</b>	<b>600</b>
Criminal Code Traffic	30	360	500	30	360	500	30	360	500	35	360	500	30	360	500	45	360	500
Impaired Driving	30	360	500	30	360	500	30	360	500	30	360	500	30	360	500	30	360	600
<b>Federal Statute Total</b>	<b>60</b>	<b>365</b>	<b>125</b>	<b>60</b>	<b>365</b>	<b>130</b>	<b>70</b>	<b>365</b>	<b>150</b>	<b>80</b>	<b>365</b>	<b>150</b>	<b>90</b>	<b>365</b>	<b>200</b>	<b>60</b>	<b>365</b>	<b>200</b>
<b>Drug Related Offences</b>	<b>60</b>	<b>365</b>	<b>200</b>	<b>90</b>	<b>365</b>	<b>200</b>	<b>90</b>	<b>365</b>	<b>200</b>	<b>90</b>	<b>365</b>	<b>200</b>	<b>90</b>	<b>365</b>	<b>250</b>	<b>60</b>	<b>360</b>	<b>250</b>
Trafficking	120	730	750	120	730	600	120	730	650	150	730	500	120	365	700	90	365	650
Possession	15	365	200	20	365	200	20	360	200	15	360	200	15	360	200	15	360	200
<b>Other Federal Statutes</b>	<b>30</b>	<b>365</b>	<b>100</b>	<b>30</b>	<b>365</b>	<b>100</b>	<b>30</b>	<b>365</b>	<b>100</b>	<b>30</b>	<b>365</b>	<b>150</b>	<b>90</b>	<b>365</b>	<b>150</b>	<b>90</b>	<b>365</b>	<b>150</b>

<sup>1</sup> Revised figures for 1994/95, 1995/96, 1996/97, and 1997/98. Revisions were made to the calculation of median prison sentence lengths in 1998/99, and the previous four years were recalculated using the same formula. Median prison sentence lengths in this table exclude unknowns.

**Notes:** Data from the Adult Criminal Court Survey are not nationally comprehensive as they do not include New Brunswick, Manitoba, British Columbia and Nunavut for all years and Northwest Territories for 1996/97.

**Source:** Statistics Canada, Canadian Centre for Justice Statistics, Adult Criminal Court Survey.

In 1999/00, the most common probation term length was "greater than six months to one year" (44% of convicted cases) (**Figure 7**). One-third (34%) of cases were greater than 12 months to two years. Fifteen per cent were for six months or less. Only 7% of probation terms were for a period of more than two years. (The statutory limit on a term of probation is three years).

### Use of fines

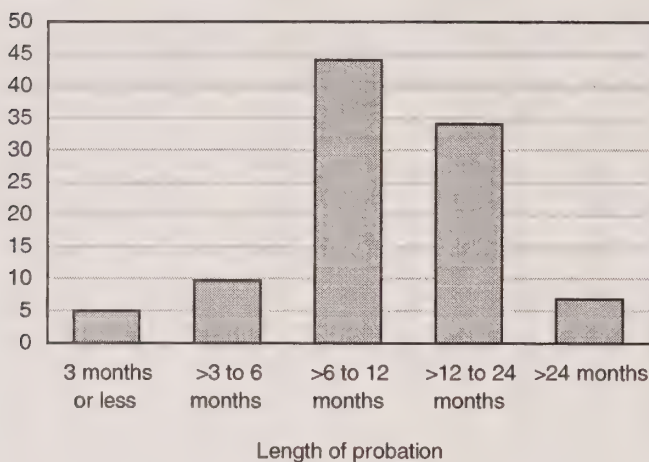
Almost 90,000 offenders were sentenced to pay a fine in 1999/00. A large majority of cases receiving this sanction (66%) were given fines of \$500 or less. The value exceeded \$1,000 in only 5% of all cases receiving a fine. Fines were most frequently imposed in impaired driving cases (85%), drug possession cases (63%), gaming cases (51%), and public order offences (45%).



Figure 7

## Cases by length of probation for the most serious offence Nine provinces and territories in Canada, 1999/00

Cases (%)

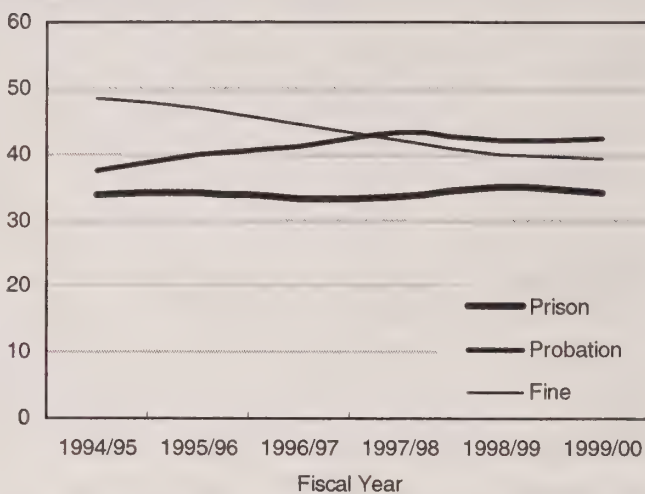


**Notes:** Data from the Adult Criminal Court Survey are not nationally comprehensive as they do not include New Brunswick, Manitoba, British Columbia and Nunavut for all years.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Figure 8

## Type of Sentence, 1994/95 to 1999/00 Nine provinces and territories in Canada, 1994/95 to 1999/00



**Notes:** Data from the Adult Criminal Court Survey are not nationally comprehensive as they do not include New Brunswick, Manitoba, British Columbia and Nunavut for all years and Northwest Territories for 1996/97.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Since 1994/95, the imposition of fine sentences has been steadily decreasing (Figure 8). In 1999/00, 39% of convicted cases were given a fine, compared to 47% in 1994/95. During the same period, there has been a trend towards imposing higher fines. In 1994/95, 20% of all fines were for amounts over \$500, whereas by 1999/00, 31% of all fines were for amounts over \$500 (Table 8).

## METHODOLOGY

The purpose of the Adult Criminal Court Survey (ACCS) is to provide a national database of statistical information on the processing of cases through the adult criminal court system. The survey consists of a census of *Criminal Code* and other federal statute charges dealt with in provincial/territorial adult criminal courts.

Table 8

## Cases by Amount of Fine Nine Provinces and Territories in Canada, 1994/95 to 1999/00

Fiscal Year	Cases With A Fine	Amount of Fine									
		\$100 or less		>\$100 to \$300		>\$300 to \$500		> \$500 to \$1000		>\$1000	
		#	%	#	%	#	%	#	%	#	%
1994/95	126,118	29,204	23.2	43,224	34.3	28,705	22.8	20,972	16.6	4,013	3.2
1995/96	120,219	27,133	22.6	41,267	34.3	27,915	23.2	19,857	16.5	4,047	3.4
1996/97	113,383	24,798	21.9	38,564	34.0	26,643	23.5	19,247	17.0	4,131	3.6
1997/98	101,886	19,935	19.6	34,292	33.7	24,870	24.4	18,991	18.6	3,798	3.7
1998/99	94,690	18,782	19.8	32,411	34.2	22,492	23.8	17,243	18.2	3,762	4.0
1999/00	86,981	16,218	18.6	27,584	31.7	15,715	18.1	23,347	26.8	4,117	4.7

**Notes:** Due to rounding, percentages may not add to 100.

Data from this survey are not nationally comprehensive as they exclude New Brunswick, Manitoba, and British Columbia for all years and Northwest Territories for 1996/97. Excludes Cases with unknown fine amount

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

## Coverage

Some limitations on coverage of the survey should be noted. First, three provinces (New Brunswick, Manitoba and British Columbia) and Nunavut are not included in the survey at this time. Second, some court locations in Quebec are not included. Information from Quebec's 140 municipal courts (which account for approximately 20% of federal statute charges in that province) are not yet collected. Finally, with the exception of Alberta and the Yukon, no data are provided from the superior courts.

The consequence of this last limitation is that the sentencing trends reported in this *Juristat* may slightly underestimate the severity of sentences imposed across Canada. The reason for this is that some of the most serious cases, which are likely to result in the most severe sanctions, will be processed in superior courts. While these limitations are important, they have existed for several years, and this means that it is possible to make comparisons from one year to another using the ACCS.

## Counting Procedures

The Adult Criminal Court Survey counts a charge more than once under any of the following circumstances:

- a charge is stayed in one time period and restarted in another time period;
- a charge is stayed and subsequently restarted with different case identifiers;
- a charge is transferred from one court location to another; and
- a charge is transferred to superior court but subsequently returns to provincial court with different case identifiers.

## Most Serious Offence and Disposition Rules

When a case has more than one charge, it is necessary to decide which charge will be used to represent the case (since a case is identified by a single charge). In such multiple-charge cases, the "most serious disposition" rule is applied. Dispositions are ranked from the most to the least serious as follows: 1) guilty, 2) guilty of a lesser offence, 3) committed for trial in a superior court, 4) other dispositions were imposed, 5) stay of proceeding, 6) acquitted, withdrawn, dismissed.

In cases where two or more offences have resulted in the same disposition (e.g., guilty), the "most serious offence" rule is applied. All charges are ranked according to a seriousness scale based on the average length of prison sentence. If two charges are tied according to this criterion, information about the sentence type (e.g., prison, probation, and fine) is considered. If a tie still exists, the magnitude of the sentence is considered.

## Factors influencing the number of charges laid

Charging policies are determined individually by provinces and territories. In Quebec, for example, the police must obtain the approval of the Crown prosecutor before a charge is laid<sup>16</sup>. In other provinces and territories, the police have exclusive responsibility for the laying of a charge. This variability may affect the number and nature of charges laid across the country.

## Comparisons with other sectors of the justice system

### Policing:

The Canadian Centre for Justice Statistics conducts the Uniform Crime Reporting (UCR) survey. This survey collects data on the crimes reported to the police. Counts from the UCR survey for offences cleared by charge are not comparable to ACCS figures for charges disposed of. There are many reasons for this. In part, it is the result of scoring rules used by the UCR survey. The UCR survey counts violent offences in terms of the number of victims in the incident; non-violent offences are counted in terms of the number of separate incidents. Furthermore, the UCR figures include offences involving youths, while the ACCS case counts only include youth offences that have been transferred to adult court.

### Corrections:

The number of cases sentenced to prison, as reported by the ACCS, will differ from the number of actual admissions to correctional facilities. The CCJS conducts the Adult Correctional Services (ACS) Survey, which measures, among other things, the number of persons admitted to correctional facilities in Canada. Prison sentences and sentenced admissions to correctional facilities differ for the following reasons: (i) the number of sentenced admissions reported by the ACS survey includes persons sentenced to prison in superior courts and fine default admissions. Only one jurisdiction, Alberta, reports Superior Court data to the Adult Criminal Court Survey and prison sentences for reason of fine defaults are excluded, and (ii) any accused sentenced to prison-time-served would be counted differently in each survey. The ACCS does not have any data on the duration of the time already served, and the correctional data would identify these sentences as a remand prior to the completion of the trial.

<sup>16</sup> New Brunswick and British Columbia also have pre-charge screening, but these jurisdictions do not report to the Adult Criminal Court Survey.



## Canadian Centre for Justice Statistics

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# Juristat

Canadian Centre for Justice Statistics



Statistics Canada – Catalogue no. 85-002-XPE Vol. 21 no. 3

## YOUTH COURT STATISTICS, 1999/00

by Mark Sudworth and Paul deSouza

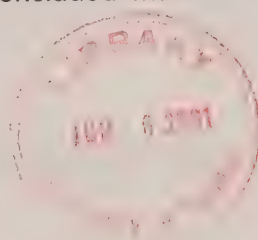
### Highlights

- In 1999/00, 102,000 cases were processed in the youth courts of Canada. This represents a 4% decrease from the previous year and a decrease of 11% from 1992/93. It also represents a 17% decrease in the number of cases per 10,000 youths from 1992/93; since that year, the rate has dropped from 500 cases to 417 cases.
- From 1992/93 to 1999/00, the rate of property crime cases decreased annually, dropping 38% over this period. The rate of violent crime cases has dropped by 3% since 1998/99, yet remains at the same level reported in 1992/93.
- Five offences accounted for a large proportion (58%) of the total caseload. These were theft under \$5,000, failure to comply with a disposition under the *Young Offenders Act* (YOA), failure to appear, breaking and entering and minor assault.
- Older youths, aged 16 to 17, were involved in the majority of cases before youth courts (51%). Youth aged 15 were involved in 21% of cases while younger adolescents aged 12 to 14 years accounted for the remaining 25%.
- Two-thirds of cases heard in youth court resulted in a conviction. This proportion has remained virtually unchanged since 1992/93.
- Probation was the most significant sentence in 48% of all cases with convictions while custody (open and secure) was ordered approximately one-third of the time.
- Repeat offenders (defined as youths with at least one prior conviction) were involved in 35% of cases with convictions.
- More than 80% of all youth court cases were concluded within six months. Almost 50% were settled within 2 months.



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## Introduction

Providing effective treatment and rehabilitation of young offenders, and ensuring community safety are primary objectives of the youth justice system. The *Young Offenders Act* (YOA), proclaimed in 1984, introduced rights for adolescents previously guaranteed to adults only. It recognized the special needs that youths have as a result of their varying levels of maturity, the necessity for youths to accept responsibility for unlawful action and the right of society to protection from illegal behaviour. In February, 2001, the Minister of Justice tabled in Parliament Bill C-7, the Youth Criminal Justice Act (YCJA). The proposed legislation is intended to replace the Young Offenders Act. Key objectives of the YCJA include: (a) reducing the use of the court by dealing with less serious cases effectively outside the court process; (b) fairness in sentencing; (c) reducing the high rate of youth incarceration; and (d) clearly distinguishing between serious violent offences and less serious offences.

This *Juristat* presents case-based<sup>1</sup> data from the Youth Court Survey (YCS) which is conducted by the Canadian Centre for Justice Statistics (CCJS) in collaboration with provincial and territorial government departments responsible for youth courts. The YCS collects data from youth courts on persons aged 12 to 17, at time of offence, appearing on federal statute offences. In this report, federal statute offences include *Criminal Code* offences, drug offences, offences against the *Young Offenders Act* (YOA), and other federal statute offences. All youth courts in Canada have reported to the YCS since 1992/93.

The YCS, through the collection and dissemination of youth court information, continues to assist policy-makers and program managers as they redefine the nature of Canada's youth justice system. As not all youth crime is reported to police and not all youths in conflict with the law proceed to court, the YCS focuses on the court process and the response to youth crime rather than the prevalence of youth criminal activity.<sup>2</sup> These data should therefore not be used as an indicator of total youth criminal activity.

## Eight Year Trends

### Decline in the rate of cases before youth courts

In the last eight years, the number of cases heard in youth courts has generally followed a downward trend; the 102,061 cases processed in 1999/00 represent a drop of 11% from 1992/93. In terms of the rate of youth court cases per 10,000 youths, the drop at the national level for the same period was more pronounced at 17% (Table 1).

### Marked drop in the rate of *Property crime* cases

A decrease of 38% in the *Property crime* case rate from 1992/93 to 1999/00 is responsible for the overall decline in the rate of cases during that period. In 1999/00, there were 168 *Property crime* cases heard per 10,000 youths compared to 271 cases per 10,000 youths in 1992/93 (Figure 1). The rate of *Property crime* cases decreased markedly for several major offence groups: breaking and entering (-43%), theft (all kinds) (-42%), possession of stolen property (-40%), and forgery (-35%).

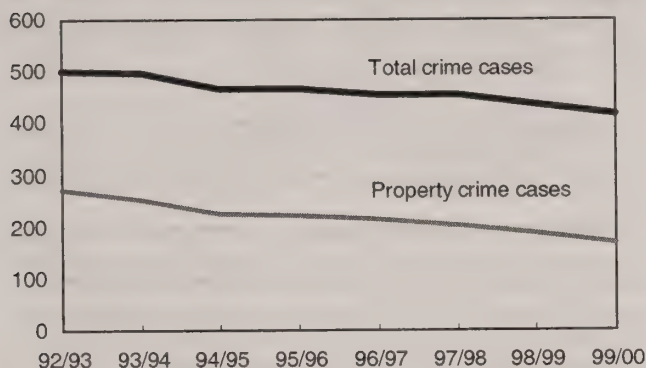
Overall, the youth violent crime, while virtually unchanged (-0.3%) since 1992/93, has decreased by 3% from 1998/99 to 1999/00. However, large increases over the eight years were noted for aggravated assault (+26%) and robbery (+23%), although these two types of crimes accounted for only 15% of the violent crime caseload.

<sup>1</sup> See the methodology section for a case definition and other key concepts related to the YCS and this *Juristat*.

<sup>2</sup> Refer to *Juristat* "Canadian Crime Statistics, 1999" for counts of youths charged by police.

Figure 1

### The rate of property crime cases has dropped substantially since 1992/93



Source: Youth Court Survey, Canadian Centre for Justice Statistics.

While the actual number of cases for minor assault (which accounted for 45% of the violent crime caseload) increased, the rate remained virtually the same (-0.9%). Significant decreases occurred with regard to other sexual offences (-47%), dangerous use of a weapon (-45%), sexual assault (-25%) and possession of a weapon (-18%).

While most offences under the *Other Criminal Code* offence category experienced declines, increases occurred in some administrative offence cases. For example, the rate per 10,000 youths of 'failure to appear' cases has increased by 10% since 1992/93. The rate of cases heard under the *Young Offenders Act* increased by 33%. Nearly all cases heard in this category dealt with failure to comply with a previous disposition.

Although the rate of *Drug-related offence* cases remained stable in 1999/00, it doubled between 1992/93 and 1999/00. Most *Drug-related offence* cases involved possession of narcotics.

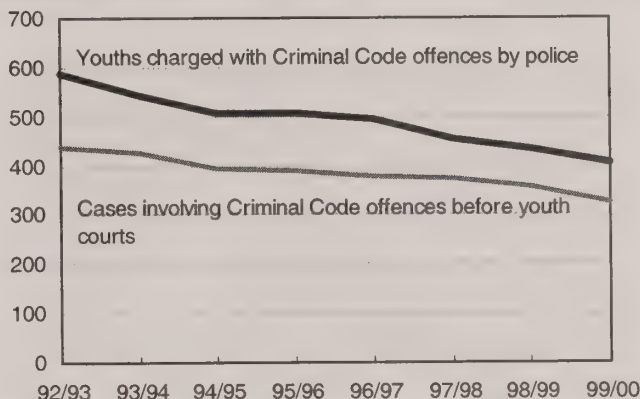
### Rate of youths charged by police also decreases

A comparison of the rate of young persons charged by police and of cases processed by youth courts per 10,000 youths illustrates the diminishing involvement of youths in the criminal justice system in recent years. From 1992 to 1999, the rate of youths charged with only *Criminal Code* offences declined by 31%, a pattern reflected in the rate of youth court cases involving *Criminal Code* offences, which declined by 26% during the same period (Figure 2). This trend may be due in part to the increased use of police diversion and alternative measures for youths committing less serious crimes. This may also serve to explain the decrease in the rate of *Property crime* court cases dealt with since 1992/93.

Figure 2

### The trends in police and court data closely correspond, showing decreasing involvement of youths in the criminal justice system

Rate per 10,000 youths



\* To compare counts of *Criminal Code* offences from police data (Uniform Crime Reporting Survey) with youth court data (YCS), cases involving impaired driving and other motor vehicle offences have been removed from YCS counts.

Source: Youth Court Survey, 1992/93 to 1999/00, and Uniform Crime Reporting Survey, 1992 to 1999, Canadian Centre for Justice Statistics.

#### Box 1

#### Youth and Youth Crime in Context

Population – 1999 <sup>1</sup>	<ul style="list-style-type: none"> <li>total Canadian population was 30.5 million with 2.45 million youths aged 12 to 17 years (8% of total)</li> <li>over the next decade, using an assumption of medium growth, the youth population aged 14 to 17 is expected to increase slightly up to 2006, and then decline</li> </ul>
Persons charged by police in 1999 <sup>2</sup>	<ul style="list-style-type: none"> <li>476,758 adults and youths charged with federal offences, excluding traffic crimes</li> <li>99,746 of these were youths</li> <li>youth represent 21% of all persons charged</li> </ul>
Youths appearing before court, 1999/00	<ul style="list-style-type: none"> <li>60,303 youths appeared before the youth courts in 1999/00</li> <li>this represents a drop of 14% from 1992/93</li> </ul>
Youths convicted in court, 1999/00	<ul style="list-style-type: none"> <li>41,563 young offenders (68,184 cases with convictions)</li> <li>2% of the youth population of Canada were convicted</li> <li>3% of 16 and 17 year old population were convicted</li> </ul>

<sup>1</sup> Postcensal estimates as of July 1<sup>st</sup>, 1999, Demography Division, Census and Demographic Statistics Branch, Statistics Canada.

<sup>2</sup> Uniform Crime Reporting Survey, 1999, Canadian Centre for Justice Statistics, Statistics Canada.



## Inter-jurisdictional comparisons

Differences across the country in the reporting of criminal incidents to police, in procedures and eligibility requirements for police diversion and alternative measures programs, and differences in provincial policy directing Crown discretion may influence the volumes and characteristics of cases heard in youth courts. For example, Alternative Measures programs, intended to be alternatives to formal judicial proceedings for youths, differ among the jurisdictions with regard to eligibility criteria (e.g., they may be restricted to first-time offenders), timing (i.e., pre-charge or post-charge) and coverage (e.g., they commonly involve less serious crimes only). Pre-charge screening by the Crown is mandatory in New Brunswick, Quebec, and British Columbia. Together, these processes serve to keep less serious cases out of the court process and therefore, reduce court workload. These factors must be considered when making inter-jurisdictional comparisons.

The national rate of youth court cases shows a gradual decline from 500 cases per 10,000 youths in 1992/93 to 417 in 1999/00. This same trend is found in Ontario where the rate dropped

by 27%, PEI, where the rate dropped by 34%, and Alberta, which dropped by 31%. In most jurisdictions, however, the rate tended to fluctuate with no discernible pattern. In Quebec, the rate has been fairly stable over the period, showing a gradual 11.5% increase between 1992/93 and 1999/00. However, the Quebec rate of youth court cases was also the lowest in the country throughout the period, at 196 cases per 10,000 youths in 1999/00 (Table 2).

## 1999/00 Case Characteristics

### Composition of cases

The types of cases processed in youth courts most often involved *Property crimes* (40%), *Violent crimes* (22%) and *Other Criminal Code offences* (18%), which include offences such as failure to appear in court and escaping custody. Less frequent were cases involving offences under the *Young Offenders Act* (13%), *Drug-related offences* (5%) and *Other federal statute offences* (<1%).

#### Box 2

##### Nunavut and the Northwest Territories

On April 1, 1999, the Northwest Territories was divided into two separate jurisdictions; the west remained the Northwest Territories while the east became Nunavut. This change will result in a drop in cases for the Northwest Territories, affecting frequency counts, trend analysis and population based rates. Due to the creation of Nunavut from the Northwest Territories, data collected prior to 1999/00 cannot be compared to data collected after that date for these jurisdictions. Data is currently reported manually in Nunavut until an automated system is completed. For 1999/00, there is an unknown amount of under-coverage in the statistics from Nunavut while administrative and jurisdictional issues are being settled.

#### Box 3

##### Cases by Principal Offence Category, 1999/00

	Number of cases	% of total cases
Property crimes	41,122	40
Violent crimes	22,937	22
Other Criminal Code offences	18,718	18
YOA offences	13,763	13
Drug-related offences	5,394	5
Other federal statute offences	127	< 1
<b>Total</b>	<b>102,061</b>	<b>100</b>

Source: Youth Court Survey, 1999/00, CCJS

#### Box 4

##### Description of crime categories

**Violent Crime:** murder, manslaughter, attempted murder, aggravated sexual assault, sexual assault/weapon, sexual assault, rape/indecent assault, aggravated assault, assault with a weapon, cause bodily harm/intent, minor assault, unlawfully cause bodily harm, assaulting peace officer, other assaults, robbery, dangerous use of weapon, possession of a weapon, other weapon offences, infanticide and other related, kidnapping/hostage taking, extortion, other sexual offences, criminal negligence.

**Property Crime:** breaking and entering, arson, taking a vehicle without consent, theft over \$5,000, theft under \$5,000, theft unspecified, theft other, false pretences, forgery, fraud, other fraudulent transactions, possession of stolen property, mischief/damage.

**Other Criminal Code offences:** impaired operation, escape custody, unlawfully at large, failure to appear, breach of recognizance, failure to comply, attempt/accessories/conspiracy, disorderly conduct/ nuisances, abduction, procuring, bawdy house, soliciting, other motor vehicle offences, gaming and betting, against the administration of justice, currency offences, exposure/nudity, public morals, public order, offences against the person, other Criminal Code offences.

**Drug-related Offences (Narcotic Control Act, Food and Drugs Act, and Controlled Drugs and Substances Act):** importing/exporting of narcotics, trafficking in narcotics, possession of narcotics, failure to disclose previous prescriptions, cultivation, trafficking in drugs, possession of drugs, other Food and Drugs Act offences, importing/exporting of controlled drugs and substances, trafficking in controlled drugs, possession of controlled drugs.

**Young Offenders Act:** failure to comply with a disposition, failure to comply with undertaking, contempt against youth court, inducing/assisting a young person, interfering with performance of terms of sentence.

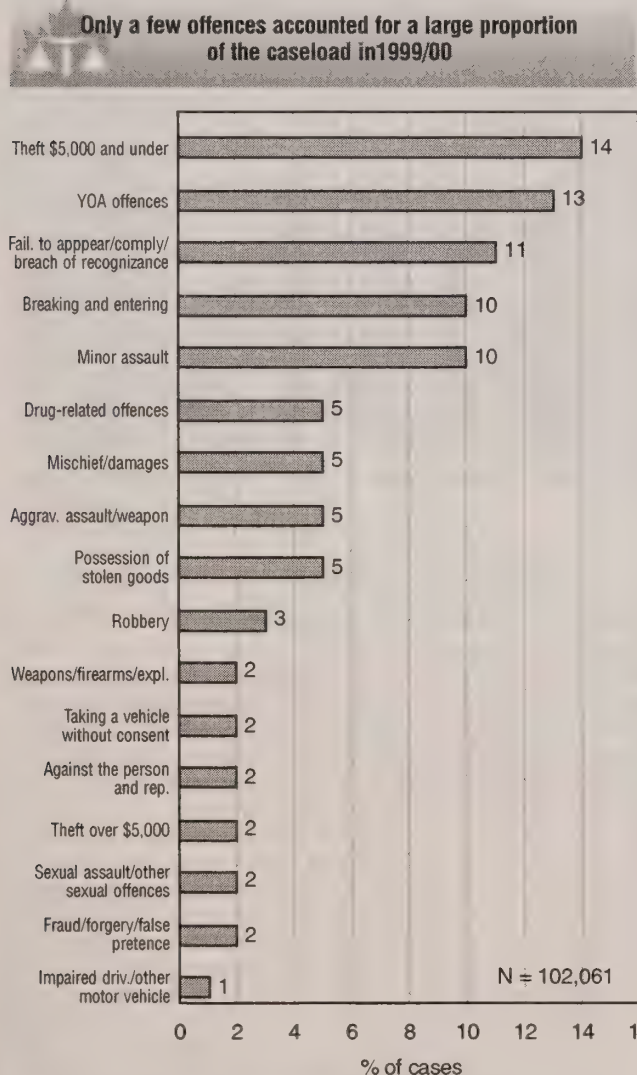
**Other federal statute offences:** This category includes offences against all other federal statutes not listed above, such as, the Income Tax Act, the Canada Shipping Act, the Elections Act, the Fisheries Regulations and the Employment Insurance Act. As this information is collected under a group code, it cannot be shown separately.

## A few offences account for a large proportion of the total caseload

While cases involving *Property crimes* accounted for the largest proportion of the caseload, only two of the five most frequent individual offences belonged to that category: 'theft under \$5,000' accounted for 14% of the total caseload and 'breaking and entering' accounted for 10%. The other three most frequent types of cases before youth courts involved failure to comply with a court disposition under YOA offences (13%), failure to appear in court under *Other Criminal Code* administrative offences (11%), and minor assaults which accounted for 10% of the total number of cases.

As can be seen in Figure 3, a very small number of offences accounted for a large proportion of the caseload. Together, the five types of offences mentioned above represented 58% of the caseload. In terms of frequency, these few offences far outranked all others reported to the Youth Court Survey.

Figure 3



Source: Youth Court Survey, Canadian Centre for Justice Statistics.

## Minor assaults accounted for almost one half of violent offence cases

While minor assaults<sup>3</sup> accounted for 10% of the total caseload, they made up 45% of all *Violent crimes*. Murder, manslaughter and attempted murder cases together accounted for less than 1% of *Violent crime* cases heard in youth courts. There were 49 cases of murder, 18 cases of manslaughter, and 66 cases of attempted murder in 1999/00.

**Box 5**  
**Violent Crime Cases, 1999/00**

	Number of cases	% of violent cases
Minor assault	10,235	45
Aggravated assault/weapon	4,894	21
Robbery	3,109	14
Weapons/firearms/explosives	2,127	9
Sexual assault/other sexual offences	1,612	7
Murder/manslaughter/attempted murder	133	< 1
Other	827	4
<b>Total</b>	<b>22,937</b>	<b>100</b>

Source: Youth Court Survey, 1999/00; CCJS

## Half of youth court cases involve 16 and 17 year olds

Sixteen and 17 year-olds appear more often in youth court than other age groups. In 1999/00, 16 year-olds accounted for 25% of cases and 17 year-olds made up 26%. Fifteen year-old young offenders represented the next most frequent age group, appearing in 21% of cases, while young offenders aged 12, 13 and 14 showed proportionately less involvement, accounting for 3%, 8% and 15% of cases, respectively (Table 3).

Younger adolescents appeared in youth court for different kinds of offences than older youths. Within individual age groups, offenders aged 12, 13 and 14 years old were slightly more likely to be involved in *Violent crime* cases, making up 34%, 28% and 24% of their respective cases. However, within the violent crime category, they make up only 5%, 10% and 16% respectively of all violent crime cases due to the higher volume of cases involving 15, 16 and 17 year olds. Because they are usually first-time offenders, youth 14 and under are more likely to be put through diversionary programs for less serious offences, thus giving the appearance that they are more likely to commit violent offences.

Young offenders aged 16 and 17, on the other hand, were proportionately more involved in *Drug-related offences*. While offenders aged 12 to 15 were responsible for 32% of all *Drug-related* cases, those aged 16 and 17 accounted for 67% of all cases.

<sup>3</sup> Refers to the least serious form of assault and includes pushing, slapping, punching and face-to-face verbal threats.

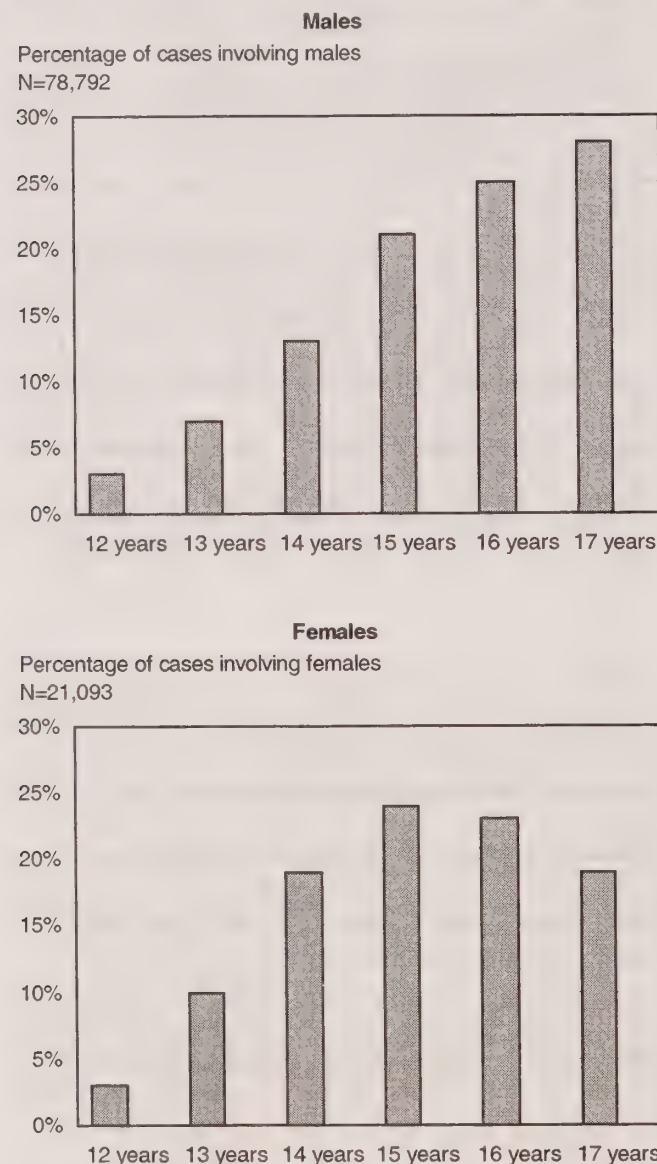


## Males account for eight in ten youth court cases

Males accounted for eight in ten youth court cases and they predominated in all age groups. The proportion of cases against males increased with age, while cases against 15 year old females accounted for the largest proportion of cases against females. Among males, 16 and 17 year-olds accounted for 54% of cases, while the comparable figure for females was 42% (Figure 4).

Figure 4

**For females, court activity peaks at age 15 while male activity continues to increase**

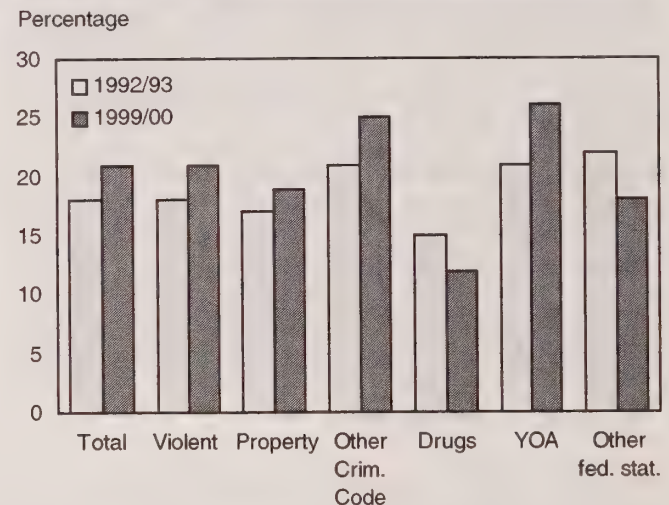


**Note:** Excludes 2,176 cases (2.1%), where the offender was older than 17 or the age was unknown, or in rare cases where the young offender was <12 years old  
**Source:** Youth Court Survey, Canadian Centre for Justice Statistics.

Court cases against females have risen slowly, from 18% of cases in 1992/93 to 21% in 1999/00. While the total number of cases before youth courts decreased from 115,187 to 102,061 during the same period, the number of cases involving females rose from 20,775 to 21,507 in the same period. This increase was reflected in most categories of offences, but it was most evident in three specific categories: the *Other Criminal Code offences* category, where cases against females increased from 21% to 25% of all offences in this category, the *Violent crimes* category, which increased from 18% to 22%, and the *YOA offences* category, where there was an increase from 21% to 26% (Figure 5). Within the *Other Criminal Code offences* category, the proportion of cases against females increased substantially with regard to escape custody (from 10% to 15% of all escapes), unlawfully at large (from 13% to 19%), and failure to appear (from 24% to 28% of all failures to appear).

Figure 5

**Female involvement rose in all but two categories of offences from 1992/93 to 1999/00**



Proportion of cases involving females in each category

**Source:** Youth Court Survey, Canadian Centre for Justice Statistics.

While the proportion of *Property crime* cases involving females rose only slightly from 1992/93 to 1999/00, specific offences within that category showed noteworthy increases. Females had proportionately more cases of breaking and entering, taking a vehicle without consent, possession of stolen property and mischief offences.

Between 1992/93 and 1999/00, there was a decline in the proportion of cases against females involving *Drug-related offences* (from 15% to 12% of all drug-related offences) and *Other federal statute offences* (from 22% to 18%). With regard to *Drug-related* cases, however, the actual number of cases involving females increased from 346 in 1992/93 to 665 in 1999/00. The lower proportion of cases involving females is due to the significant increase in cases involving male youth which caused the total number of cases in that category to jump from 2,331 to 5,394 over the same period.

## Decisions in Youth Court

### About two-thirds of youth court cases result in a conviction

Cases resulting in a conviction (a finding of guilt for at least one charge) accounted for 67% of cases disposed in youth court in 1999/00 (Table 4). Cases were stayed or withdrawn in 29% of cases, and another 3% resulted in findings of not guilty or dismissal. Transfers to adult court accounted for less than one-tenth of one percent of the 1999/00 caseload. These proportions have remained virtually unchanged since 1992/93.

Revisions to the YOA in 1995 made transfers to adult court the standard response for serious violent crime cases involving 16 and 17 year-olds, unless otherwise ruled by the court. This provision applies to murder (first or second degree), manslaughter, attempted murder and aggravated sexual assault. For these offences, the onus is on the accused to make an application to stay in youth court. For other crimes, the Crown or defence counsel must apply for transfer to adult court. Conditions stipulated in the Act for these transfers include a minimum age requirement of 14 years.

Of the 52 cases transferred to adult court in 1999/00, 60% involved *Violent crimes* and 23%, *Property crimes*. Of the 31 cases involving *Violent crimes*, 12 were for murder (39%). While young offenders aged 17 were involved in 26% of cases, they accounted for 54% of transfers.

### Conviction rates vary considerably from one jurisdiction to another

The proportion of cases resulting in a conviction ranged from approximately 60% in Manitoba, Yukon, and Ontario, to 80% and over in Prince Edward Island, Quebec, Northwest Territories and New Brunswick (Table 4). The proportions of charges withdrawn or stayed tend to vary considerably across the country. These variations can be explained in part by differences in charging practices. High proportions of cases stayed or withdrawn are often indicative of charges set aside pending completion of alternative measures programs, or the systematic use of these decisions regarding administrative records.

The conviction rate varied somewhat among offence categories. Offences against the Young Offenders Act had the highest conviction rate (75%), while Other Criminal Code offences recorded the lowest proportion of guilty verdicts (61%). Within each offence category, there was considerable

#### Box 7

##### Convictions by offence category, 1999/00

Most significant charge	Total	Guilty	% Guilty
<b>Total offences</b>	<b>102,061</b>	<b>68,184</b>	<b>67</b>
Violent crimes	21,518	13,777	64
Property crimes	40,920	27,954	68
Other Criminal Code offences	19,647	11,980	61
Drug-related offences	5,436	3,511	65
Young Offenders Act	14,411	10,878	75
Other federal statute offences	129	84	65

Source: Youth Court Survey, 1999/00, CCJS

following offences for which there were at least 200 cases: unlawfully at large, escape custody, impaired operation, breaking and entering, assaulting a police officer, trafficking in narcotics and failure to comply with a disposition.

The conviction rate was not the same for males and females. For males, it was 68% while for females, it was 62%. For three categories of offences, the conviction rate was substantially lower for females than for males. These were: *Other federal statute offences* (16 percentage points lower), *Property crimes* (11 percentage points lower) and *Drug-related offences* (8 percentage points lower).

For the *Young Offenders Act* category, the conviction rate for females was slightly higher than that for males. Within the *Property crimes* category, the difference in conviction rates for females was more pronounced for theft unspecified (16 percentage points lower), theft under \$5,000 (13 percentage points lower) and theft over \$5,000 (12 percentage points lower).

#### Box 8

##### Conviction Rates by Sex, 1999/00

Most significant charge	% Total	% Male	% Female
<b>Total offences</b>	<b>67</b>	<b>68</b>	<b>62</b>
Violent crimes	64	64	62
Property crimes	68	70	59
Other Criminal Code offences	61	62	58
Drug-related offences	65	66	58
Young Offenders Act	75	75	76
Other federal statute offences	65	68	52

Source: Youth Court Survey, 1999/00, CCJS

## Sentencing in Youth Court

Factors considered in sentencing include the type of offence committed, the circumstances in which the offence was committed, the criminal history of the offender and, in the case of custody under section 24(1) of the YOA, "the protection of society" and "the needs and circumstances of the young person".



## Most youth court sentences are served in the community

In 1999/00, probation was the most significant sentence in almost one-half of cases with convictions (48%). Custody (34%) was the next most frequent sentence, comprising secure custody (17%), and open custody (17%). These sentences were followed by community service (7%), fines (6%), absolute discharge (2%) and other sentences (2%). The distribution of most significant sentence types has varied little since 1992/93 (Table 5).

Because sentencing information is generally presented by most serious or significant sentence, the use of some sentence types appears low relative to others when multiple sentences are imposed by the courts. In these cases, the less serious sentence types are given in combination with a more serious sentence. For example, the percentage of cases with a community service order appears low because, in most cases, these orders are used as a condition of probation which is a more serious sentence. In fact, 27% of all cases resulting in a conviction included a community service order in 1999/00, with most of these orders given in combination with a more serious sentence.

In 1999/00, 45% of all cases with a conviction gave rise to one sentence, 36% resulted in two sentences, and 19% resulted in three or more sentences. For those cases ending in multiple sentences, the most frequent combinations include probation and a community service order (19%), probation and conditional discharge (18%), and probation, conditional discharge and a community service order (5%).

## Offences against the Young Offenders Act are more likely to result in a term of custody

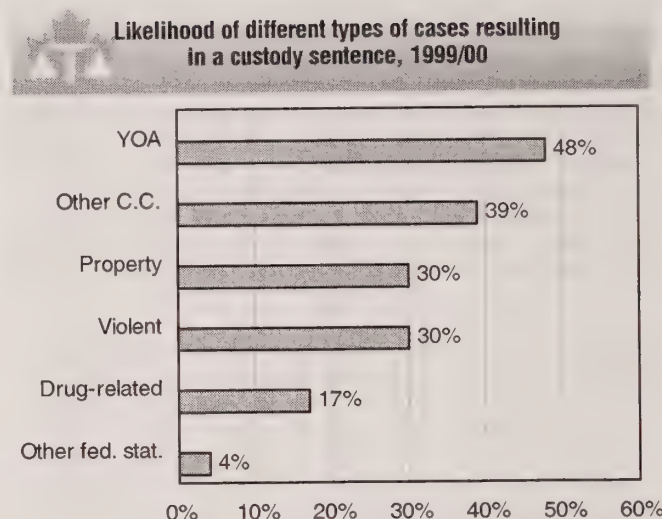
Figure 6 shows that of all offence categories, cases involving offences against the *Young Offenders Act* (48%) and *Other Criminal Code offences* (37%) are most likely to result in a term of custody as the most significant sentence. Within the *Young Offenders Act* offence category, the great majority of cases involved failure to comply with a disposition, and in the *Other Criminal Code offences* category, it is administrative offences which were responsible for the higher proportion of custody sentences. These included escape from custody/being unlawfully at large (90%) and failure to appear/comply with a disposition/breach of recognizance (40%).

Although cases involving *Violent crimes* and *Property crimes* were less likely to result in a custody sentence, certain offences within these categories were more likely to receive such a sentence, particularly attempted murder (86%) and murder/manslaughter (76%) (Table 5).

## Probation sentences more likely for violent crimes

Probation was most often ordered in *violent crime* cases (59%), specifically sexual assault/other sexual offences (66%) and minor assault (64%). As well, *property* cases and *drug offence* cases more often resulted in probation (both 55%). Within the *Property crimes* category, cases involving theft other (68%) and arson (62%) were the most likely to result in a probation sentence.

Figure 6



Source: Youth Court Survey, Canadian Centre for Justice Statistics.

Fines were more likely to be imposed in cases involving impaired driving/other motor vehicle offences (46%). Of all types of offences, theft \$5,000 and under and *Young Offenders Act* cases were most likely to result in a community service order (10%).

## Females more likely to receive probation than males

While one-half of convictions ended in a term of probation overall, females were more likely than males to receive probation as the most significant sentence in 1999/00 (54% versus 47%). The differences between male and female young offenders were also apparent in custody sentences. Thirty-six percent of cases involving males ended in a term of custody compared to 27% for females. Differences in other types of sentences were slight.

## The use of custody varies widely across Canada

The use of secure custody ranged from 3% of cases with convictions in Nova Scotia to 32% in the Yukon. The proportion of cases with convictions resulting in open custody was highest in the Northwest Territories (34%) and lowest in Alberta (10%) and Quebec (11%). The combined use of open and secure custody ranged from just over one-quarter of cases in Quebec and Nunavut (both 27%) to well over one-half of convictions in the Northwest Territories (58%). Indeed, in the Northwest Territories, the proportion of total custody orders was higher than the percentage of probation orders imposed (27%). The same was true of the Yukon, with 48% of cases receiving custody, and 34% receiving probation. The availability of custodial facilities may have an impact on the use of custody orders across the country.

The use of probation orders was highest in Nunavut (65%) and lowest in the Northwest Territories (27%). The province of Alberta shows an overall sentencing pattern that is somewhat different from the other jurisdictions. In Alberta, custody sentences, open custody (10%) and secure and open custody (28%), as well as probation sentences are ordered in proportions which are below the national figures (Table 6).



## Sentence lengths

Under the YOA, the maximum length for secure or open custody sentences is generally two years. However, this sentence can be three years if the crime would normally carry a maximum penalty of life imprisonment in adult court. In addition, the most serious crimes (first or second degree murder) carry higher sentences. First-degree murder carries a maximum custodial sentence of six years, followed by four years of conditional supervision. Second-degree murder carries a maximum four-year custodial term followed by three years of conditional supervision. However, not all murder cases first heard in youth court are sentenced in youth court as the YOA transfer provisions to adult court would apply.

### Box 9

#### Sentence Review

The length of sentence ordered by the court may be subject to revision under conditions stipulated in the *Young Offenders Act*. The court must review all custodial sentences after one year and may reduce the term or type of disposition at that time. Otherwise, the initial sentence ordered is to be served. There is no parole or statutory release in the *Young Offenders Act*. Sentences are subject to review upon request by the parent or young offender, although permission must be granted by the court if less than six months have been served. The principal correctional service administrator (Provincial Director) may ask the court for a review hearing if a revision to the sentence would be in the youth's best interest.

### The majority of custodial sentences are for three months or less

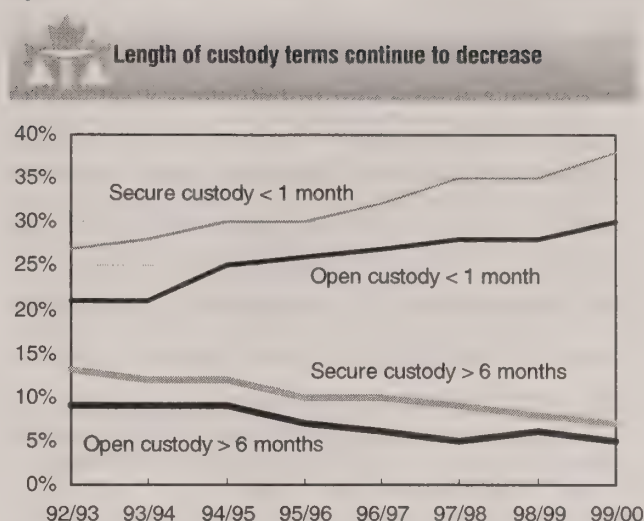
Of the 23,215 cases resulting in a custodial sentence (open and secure) in 1999/00, 33% were for terms of less than one month, 44% were from 1 to 3 months, 16% from 4 to 6 months, and 6% were for more than 6 months.<sup>4</sup> The proportion of cases with short custodial sentences (three months or less) increased from 71% of cases with convictions in 1992/93 to 77% in 1999/00.

Of the cases resulting in open custody in 1992/93, 21% were for terms of less than one month, compared to 30% in 1999/00. For secure custody cases, the proportion with orders of less than one month increased from 27% to 38% during the same period (Figure 7).

In 1999/00, the median sentence length for cases resulting in custody was 1 month. For secure custody alone, it was 1 month, while for open custody, it was slightly longer, at 45 days. Cases involving murder (5 cases) and manslaughter (14 cases) had the highest median custodial lengths (36 months and 15.5 months respectively). These were followed by attempted murder (6 cases) at 14 months, and sexual assault with a weapon (11 cases) at 9 months.

<sup>4</sup> The YCS does not distinguish between consecutive and concurrent sentences and does not include sentencing revisions made under review by the court. In multiple sentence cases, for example, the sentence length may be underestimated because of the assumption of concurrent sentences for all charges and may not reflect actual time ordered.

Figure 7



Source: Youth Court Survey, Canadian Centre for Justice Statistics.

### Most probation terms are 12 months or less

Under the YOA, youth courts may sentence a young offender to probation for a maximum of two years. In 1999/00, the median sentence length for a probation sentence was just under 1 year. Of the 33,028 cases resulting in a term of probation as the most significant sentence, 22% were for a period of 6 months or less, 56% ranged from 7 to 12 months, and 22% were for more than 12 months.

Probation, as the most significant sentence, was ordered most often for sexual assault and other sexual offences (67%), trafficking in drugs (65%) and cases involving minor assault (64%). However, the longest median term of probation, 18 months, was imposed in the following offences; other sexual offences (141 cases), and aggravated assault (56 cases). For cases involving other assaults, the median length of the probation was 15 months.

### One-half of fines are \$100 or less

Under the YOA, a young offender may be ordered to pay a fine not exceeding \$1,000. In 1999/00, 4,062 cases or 6% of convictions ended in a fine as the most significant sentence. Fines in the \$100 to \$500 range were most often ordered (47%), followed by fines in the \$50 to \$100 range (40%), less than \$50 (10%) and over \$500 (4%). The average dollar amount of fines was \$177.

Fines, as the most significant sentence, were ordered most frequently in cases involving the impaired operation of a motor vehicle (425 of the 734 convictions for impaired operation, or 58%). Conviction for this offence resulted in one of the highest average fines (\$421). Two other types of offences that resulted in high average fines were: theft over \$5,000 (\$362) and other motor vehicle offences (\$321). The four types of cases most frequently heard in youth courts ended in lower fines, an average of \$134 for failure to comply with a disposition under the YOA, \$136 for theft under \$5,000, \$94 for failure to appear and \$252 for breaking and entering.



## Repeat offenders

### Repeat offenders are involved in one third of convictions

In 1999/00, approximately 35% of cases with convictions involved repeat offenders.<sup>4</sup> In comparison to first-time offenders, repeat offenders tended to be brought to court more often for *Property crimes* and less often for *Violent crimes*. In 1999/00, repeat offenders were involved in 53% of property cases and 25% of violent cases. Comparable figures for first-time offenders were 48% and 31% respectively. The use of police diversion and alternative measures programs for first-time property crime offenders may have contributed to this difference.

Males tend to re-offend at a higher rate than females. In 37% of convicted cases involving males in 1999/00, the young offender had been previously convicted; the corresponding figure for female offenders was 29%.

Unlike repeat offenders, first-time offenders were more likely to be given a term of probation (Figure 8). In 1999/00, 63% of convictions for first-time young offenders ended in probation compared to 42% for repeat offenders. Repeat offenders were over two times more likely to be ordered to serve a term of custody (42%) than were first-time offenders (17%). This wide gap was apparent for both *Violent crime* cases (48% of convictions resulting in custody for repeat offenders versus 20% for first-time offenders) and *Property crime* cases (42% versus 16%).

The most troublesome offender for the criminal justice system is the persistent offender, that is, the young offender who has had contact with the system many times. In 1999/00, persistent offenders, defined in this report as offenders with at least three prior convictions, accounted for 10% of convictions (4,295 cases). Again, males were more likely to be persistent offenders than females (3,875 cases or 11% of the male caseload versus 420 cases or 5% of the female caseload).

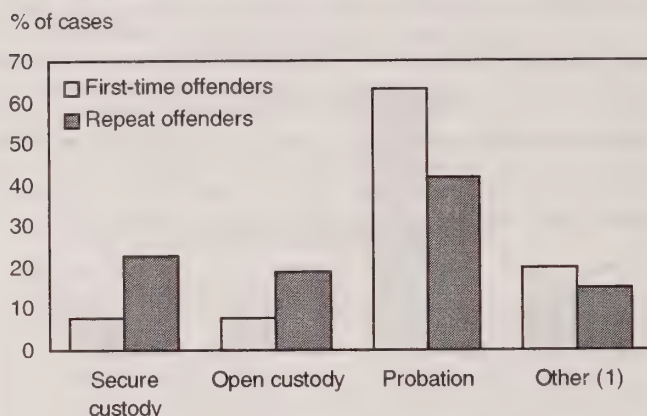
As young offenders move towards persistent re-offending, the number of charges per case increases. For example, while 18% of cases involving first-time offenders had 4 or more charges, this proportion increased to 25% for repeat offenders with one prior conviction, 29% for those with 2 prior convictions and 32% for repeat offenders with 3 or more prior convictions.

Repeat offenders tend to receive harsher sentences as the number of prior convictions increase. In 1999/00, 17% of cases involving first-time offenders resulted in a custody term, while this type of sentence was imposed in 30% of cases involving repeat offenders with 1 prior conviction, 42% of repeat offenders with 2 prior convictions and 63% of repeat offenders with 3 or more prior convictions.

<sup>5</sup> The information on repeat offenders was obtained by selecting young offenders convicted in 1999-00 from the case file by date of sentencing and tracking any previous convictions for them from 1990-91 to 1998-99. The repeat offender analysis excludes Nova Scotia for all years, all offences under the YOA and post-disposition offences under the Criminal Code (e.g. failure to comply, unlawfully at large and escape). Because of this, the number of cases presented in this section does not correspond to the number of cases reported elsewhere in the Juristat.

Figure 8

Repeat offenders are three times more likely than first-time offenders to serve terms of custody and much less likely to receive probation



\* Only the most significant sentence is indicated.

<sup>1</sup> Other includes all other sentences, for example, community service, absolute discharge, conditional discharge and fines.

Note: Excludes data from Nova Scotia, YOA offence cases and post-dispositional administrative offence cases.

Source: Youth Court Survey, Canadian Centre for Justice Statistics.

## Case Processing

### One-half of all cases are processed in two months or less

The successful rehabilitation of a young offender is often reliant on a prompt court process. In 1999/00, almost one-half of all cases (48%) were processed in two months or less (from the time of the youth's first court appearance to the date of decision or sentencing), with only 19% of cases taking longer than six months. In fact, 16% of cases were completed at the first court appearance.

Cases dismissed, cases transferred to adult court and cases resulting in a verdict of not guilty take the longest to process. Sixty-five percent of cases dismissed, 63% of cases transferred to adult court and 49% of cases resulting in a verdict of not guilty spent more than four months in the youth courts before a decision was handed down. Overall, 31% of cases took more than four months to process, while 26% of cases resulting in a guilty verdict spent longer than 4 months in court.

In 1999/00, the median elapsed time for all cases was 63 days. Manitoba had the longest median elapsed time at 91 days, followed by Saskatchewan (76 days) and Ontario (73 days).

The type of offence in a case has a significant impact on the amount of time it takes to complete it. Cases involving *Violent crimes* had by far the longest median elapsed time (104 days), followed by *Property crime* cases (64 days) and *Drug-related offence* cases (56 days). Within the *Violent crime* category, cases requiring more time to complete included rape/indecent assault (315 days), sexual assault with a weapon (164 days)



and sexual assault (160 days). Within the *Property crime* category, the highest median elapsed time recorded was 105 days for arson followed by 78 days for breaking and entering, and 70 days for theft other. The median elapsed time was low for other federal statute offences (1 day), and for administrative offences such as unlawfully at large (4 days), escape custody (7 days) and breach of recognizance (16 days).

In 1999/00, 57% of cases involved only one charge, 24% had two charges, 9% three charges and 11% more than three charges. The number of charges did not seem to have a significant impact on the median amount of time taken to process a case in court.

The shorter median elapsed time recorded for cases with 6 charges or more can be explained, in part, by the fact that this group of cases tends to have a higher percentage of Property crime cases, which have lower median elapsed times than cases involving violent crimes. While property cases represented 40% of the total youth caseload, they comprised 62% of cases with 6 charges or more, which was higher than that of any other offence group. Also, the proportion of Violent crime cases was lower for cases with 6 charges or more (21%) than it was for cases involving 3, 4 or 5 charges (25%, 24% and 24% respectively).

## Methodology

The Youth Court Survey (YCS) is a census of *Criminal Code* and other federal statute offences heard in youth court for persons aged 12 to 17 (up to the 18th birthday) at the time of the offence. Though every effort is made by respondents and the Canadian Centre for Justice Statistics (CCJS) to ensure complete survey coverage, slight under-coverage may occur in some jurisdictions. Refer to the publication *Youth Court Data Tables, 1999/00* for more information on data collection, editing, and compilation.

The unit of analysis is the case, defined by the YCS as one or more charges laid against a young person first presented in a youth court on the same day. Case counts are categorized by the most significant charge, most significant decision and the most significant sentence. Consequently, less serious charges, decisions and sentences are under-represented.

The determination of the most significant charge at the beginning of court proceedings is by the ordering of charges from most to least serious. Violent charges are given first priority in the ordering process, followed by drug and narcotic offences, property offences, other *Criminal Code* offences, offences under the *Young Offenders Act* (YOA), and other federal statute offences. Offences are further ranked within these offence categories. Refer to the publication *Youth Court Data Tables, 1999/00* for more information on the ordering criteria.

Since a case with more than one charge may have more than one type of decision, the "most significant decision" has been selected for analysis on the basis of the following order from

most to least serious: transfer to adult court; guilty; other decision (e.g., not fit to stand trial); stay of proceedings; charge withdrawn; or transfer to other jurisdiction; and not guilty or charge dismissed. The case is described by the most serious or "significant" charge in the case, which is associated with the court decision.

The most significant sentence is determined by the effect that the sentence has on the young person. Sentences are ordered from most to least serious as follows: secure custody, open custody, probation, fine, compensation, pay purchaser (a dollar amount paid back to the innocent purchaser of stolen goods), compensation in kind, community service order, restitution, prohibition/seizure/forfeiture, other sentences, conditional discharge and absolute discharge.

The reader is advised that the use of the decisions 'stay' and 'withdrawn' for administrative purposes (e.g., to reduce charges or to correct details on an information) vary by jurisdiction. To terminate and recommence a case for administrative purposes has been found to inflate the total number of cases reported to the Youth Court Survey. As much as 30% of the national caseload is stayed or withdrawn and a proportion of these are the result of administrative procedures. Ontario, Manitoba, Alberta, British Columbia and Yukon are most affected by this practice. Consequently the reader is encouraged, where possible, to analyze cases with guilty findings (convictions) to increase comparability among the jurisdictions.

Differences in data over time and across jurisdictions result from a number of factors that reflect how the YOA has been implemented. Pre-court screening procedures may affect the number of youth appearing in court. The Crown Attorney, for example, may decide not to proceed with a charge, or the initial charge may be changed. Pre-charge screening by the Crown is mandatory in New Brunswick, Quebec and British Columbia. A youth may also be diverted from the court process into a program such as Alternative Measures (either before or after police lay charges) or a police diversion program.

Alternative Measures (AM) programs are generally reserved for first-time offenders and are often limited to specific types of less serious offences, although young offenders committing more serious offences can be considered for acceptance in the program in most jurisdictions. Except for New Brunswick, Ontario and Yukon, all AM programs are combined pre- and post-charge programs where the preferences, and the general practices are to refer youths at the pre-charge stage (i.e. before charges are laid). In New Brunswick, the AM program operates at the pre-charge stage only. In Ontario, youths are only referred to AM programs at the post-charge stage (i.e. after charges are laid). In Yukon, the general practice is to refer youths to the AM program at the post-charge stage, although, on occasion, they may be referred at the pre-charge stage. Alternative measures cases are excluded from the Youth Court Survey data either in the jurisdiction or at the CCJS, if they are identified. Nevertheless, differences in procedures and eligibility requirements of these programs influence the volume and characteristics of cases heard in youth courts.



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Table 1

## Cases heard in Youth Courts by Principal Offence Category, Canada, 1992/93 to 1999/00

Offence category	1992/93	1993/94	1994/95	1995/96	1996/97	1997/98	1998/99	1999/00	% change from 1992/93 to 1999/00
<b>Total cases</b>									
number	115,187	115,949	109,743	111,027	110,065	110,882	106,665	102,061	
% change in the number of cases*	...	0.7%	-5.4%	1.2%	-0.9%	0.7%	-3.8%	-4.3%	-11.4%
rate per 10,000	500	497	465	465	455	454	435	417	
% change in the rate*	...	-0.5%	-6.5%	0.0%	-2.1%	-0.2%	-4.3%	-4.2%	-16.6%
<b>Violent crimes</b>									
number	21,653	23,374	23,010	23,084	23,044	23,711	23,564	22,937	
% change in the number of cases*	...	7.9%	-1.6%	0.3%	-0.2%	2.9%	-0.6%	-2.7%	5.9%
rate per 10,000	94	100	98	97	95	97	96	94	
% change in the rate*	...	6.8%	-2.7%	-0.8%	-1.5%	2.0%	-1.1%	-2.5%	-0.3%
<b>Property crimes</b>									
number	62,456	59,138	53,007	52,743	51,767	49,602	45,566	41,122	
% change in the number of cases*	...	-5.3%	-10.4%	-0.5%	-1.9%	-4.2%	-8.1%	-9.8%	-34.2%
rate per 10,000	271	254	225	221	214	203	186	168	
% change in the rate*	...	-6.4%	-11.4%	-1.6%	-3.1%	-5.1%	-8.6%	-9.6%	-38.0%
<b>Other Criminal Code offences<sup>1</sup></b>									
number	18,517	18,918	18,327	19,173	18,285	19,316	19,421	18,718	
% change in the number of cases*	...	2.2%	-3.1%	4.6%	-4.6%	5.6%	0.5%	-3.6%	1.1%
rate per 10,000	80	81	78	80	76	79	79	76	
% change in the rate*	...	1.0%	-4.3%	3.4%	-5.9%	4.7%	0.0%	-3.5%	-4.9%
<b>Drug-related offences</b>									
number	2,331	3,130	4,522	4,897	5,353	4,549	4,716	5,394	
% change in the number of cases*	...	34.3%	44.5%	8.3%	9.3%	-15.0%	3.7%	14.4%	131.4%
rate per 10,000	10	13	19	21	22	19	19	22	
% change in the rate*	...	32.8%	42.7%	7.1%	7.9%	-15.8%	3.2%	14.5%	117.8%
<b>YOA offences</b>									
number	9,780	11,024	10,704	10,906	11,335	13,442	13,289	13,763	
% change in the number of cases*	...	12.7%	-2.9%	1.9%	3.9%	18.6%	-1.1%	3.6%	40.7%
rate per 10,000	42	47	45	46	47	55	54	56	
% change in the rate*	...	11.5%	-4.1%	0.7%	2.6%	17.5%	-1.6%	3.7%	32.5%
<b>Other federal statute offences</b>									
number	450	365	173	224	281	262	109	127	
% change in the number of cases*	...	-18.9%	-52.6%	29.5%	25.4%	-6.8%	-58.4%	16.5%	-71.8%
rate per 10,000	2	2	1	1	1	1	--	1	
% change in the rate*	...	-19.8%	-53.2%	28.0%	23.8%	-7.6%	-58.6%	16.6%	-73.4%

\* refers to the previous year.

... not applicable.

<sup>1</sup> Includes cases involving traffic offences.

-- too small to be expressed.

Source: Youth Court Survey, Canadian Centre for Justice Statistics.



Table 2

**Cases before Youth Courts, Rate per 10,000 Youths, 1992/93 to 1999/00**

Rate of cases per 10,000 youths

	1992/93	1993/94	1994/95	1995/96	1996/97	1997/98	1998/99	1999/00	% change from 1998/99	% change from 1992/93
<b>Canada</b>	<b>500</b>	<b>497</b>	<b>465</b>	<b>465</b>	<b>455</b>	<b>454</b>	<b>435</b>	<b>417</b>	<b>-4</b>	<b>-17</b>
Newfoundland	427	364	364	308	534	425	432	364	-16	-15
Prince Edward Island	411	422	337	281	377	311	268	271	1	-34
Nova Scotia	403	414	432	472	470	459	419	412	-2	2
New Brunswick	320	387	396	416	376	367	323	373	15	17
Quebec	176	175	185	174	196	189	201	196	-2	11
Ontario	585	604	552	561	532	496	449	428	-5	-27
Manitoba	810	883	832	762	710	787	871	700	-20	-14
Saskatchewan	864	862	797	896	883	943	841	941	12	9
Alberta	885	837	746	728	643	654	671	614	-8	-31
British Columbia	459	386	358	342	346	415	369	364	-1	-21
Yukon	1,037	1,300	1,375	1,981	1,774	1,681	1,456	1,381	-5	33
Northwest Territories*	1,025	1,129	990	856	886	847	1,051	1,011	...	...
Nunavut**1	...	...	...	...	...	...	...	426	...	...

... figures not applicable or appropriate.

\* Due to the creation of Nunavut from the Northwest Territories, data collected prior to 1999/00 cannot be compared to data collected after that date for these jurisdictions.

1 In data for fiscal year 1999/00, there is an unknown amount of undercoverage.

Source: Youth Court Survey, Canadian Centre for Justice Statistics.

Table 3

**Cases Heard in Youth Court by Offence Category and Age, Canada, 1999/00**

Principal Offence Category	Total cases	< 12	12	13	14	15	16	17	> 17	Unknown
		%	%	%	%	%	%	%	%	%
<b>Total Offences</b>	<b>102,061</b>	--	<b>3</b>	<b>8</b>	<b>15</b>	<b>21</b>	<b>25</b>	<b>26</b>	<b>1</b>	<b>1</b>
Violent Offences	22,937	--	5	10	16	21	23	24	--	1
Property Offences	41,122	--	4	9	15	22	25	25	--	1
Other Criminal Code Offences	18,718	-	2	7	14	19	25	30	3	1
Narcotic Control Act	43	-	5	5	12	21	28	30	-	-
Food and Drugs Act	2	-	-	-	-	100	-	-	-	-
Controlled Drugs and Substances Act	5,349	--	1	3	9	18	29	38	--	--
Young Offenders Act	13,763	-	1	5	13	23	26	26	5	1
Other Federal Statutes	127	-	1	2	9	15	28	45	-	-

- nil or zero.

-- too small to be expressed.

Source: Youth Court Survey, Canadian Centre for Justice Statistics.

Table 4



### Cases before Youth Courts by Most Significant Decision, Province and Territories, 1999/00

Jurisdiction	Total cases	Transfer to adult court	Guilty	Not guilty	Stayed	Dismissed	Withdrawn	Transfer to other jurisdiction	Other
		%	%	%	%	%	%	%	%
<b>Canada</b>	<b>102,061</b>	--	<b>67</b>	<b>1</b>	<b>10</b>	<b>2</b>	<b>19</b>	--	--
Newfoundland	1,760	--	78	-	5	3	14	--	--
Prince Edward Island	335	-	83	-	10	1	5	-	-
Nova Scotia	3,134	-	72	2	-	10	16	--	--
New Brunswick	2,280	--	87	1	-	--	11	--	-
Quebec	10,768	--	81	5	3	2	7	--	1
Ontario	39,096	--	60	--	6	2	31	--	--
Manitoba	6,878	--	58	--	40	1	--	-	1
Saskatchewan	9,062	-	66	--	11	5	17	--	-
Alberta	16,188	--	71	1	2	3	22	1	-
British Columbia	11,613	--	70	2	28	1	--	--	--
Yukon	410	-	59	-	29	7	3	2	--
Northwest Territories	401	-	85	--	-	--	14	-	-
Nunavut*	136	-	74	1	5	3	16	-	-

- nil or zero.

-- too small to be expressed.

\* In data for fiscal year 1999/00, there is an unknown amount of undercoverage.

Source: Youth Court Survey, Canadian Centre for Justice Statistics.



Table 5

## Youth Court Cases with Convictions by the Most Significant Charge and Sentence<sup>1</sup>, Canada, 1999/00

Most significant charge	Total cases	Secure custody	Open custody	Probation	Fine	Community service	Absolute discharge	Other <sup>2</sup>
		%	%	%	%	%	%	%
<b>Total offences</b>	<b>68,184</b>	<b>17</b>	<b>17</b>	<b>48</b>	<b>6</b>	<b>7</b>	<b>2</b>	<b>3</b>
<b>Violent crimes</b>	<b>13,565</b>	<b>15</b>	<b>15</b>	<b>59</b>	<b>2</b>	<b>4</b>	<b>1</b>	<b>3</b>
Murder/manslaughter	25	76	-	16	-	-	-	8
Attempted murder	7	86	-	14	-	-	-	-
Robbery	1,892	27	21	45	1	3	--	2
Sexual assault/other sexual offences	836	14	14	66	--	2	1	2
Aggravated assault/assault with a weapon	2,631	16	17	59	1	4	1	2
Minor assault	6,462	11	13	64	2	5	2	3
Weapons/firearms/explosives	1,212	13	15	58	4	4	2	4
Other violence crimes	500	23	19	48	3	4	1	2
<b>Property crimes</b>	<b>27,689</b>	<b>15</b>	<b>16</b>	<b>55</b>	<b>4</b>	<b>7</b>	<b>2</b>	<b>3</b>
Breaking and entering	7,324	19	20	54	1	4	--	2
Taking a vehicle without consent	1,210	14	15	57	3	7	1	3
Theft over \$5,000	991	27	23	44	1	3	--	2
Theft \$5,000 and under	8,929	10	13	56	7	10	3	2
Possession of stolen property	3,850	20	17	50	4	7	1	2
Fraud/forgery	1,103	15	14	55	5	6	1	4
Mischief/damage	3,514	10	10	59	4	8	2	6
Other property offences	768	14	15	60	2	6	1	2
<b>Other Criminal Code offences</b>	<b>12,214</b>	<b>21</b>	<b>18</b>	<b>39</b>	<b>10</b>	<b>7</b>	<b>2</b>	<b>4</b>
Failure to appear/comply/breach of recognizance	6,567	19	21	39	8	7	2	3
Escape custody/unlawfully at large	1,314	63	26	7	1	1	1	1
Impaired operation/other motor vehicle offences	1,029	9	6	28	46	9	--	2
Other Criminal Code offences	3,304	12	12	54	6	7	2	7
<b>Drug-related offences</b>	<b>3,456</b>	<b>8</b>	<b>9</b>	<b>55</b>	<b>14</b>	<b>6</b>	<b>5</b>	<b>3</b>
<b>Young Offenders Act</b>	<b>11,176</b>	<b>23</b>	<b>25</b>	<b>29</b>	<b>9</b>	<b>10</b>	<b>1</b>	<b>3</b>
Failure to comply with disposition	10,979	23	25	29	9	10	1	3
Other YOA offences	197	34	19	31	4	6	1	6
<b>Other federal statute offences</b>	<b>84</b>	<b>1</b>	<b>2</b>	<b>25</b>	<b>60</b>	<b>7</b>	<b>1</b>	<b>4</b>

- nil or zero.

-- too small to be expressed.

<sup>1</sup> Refers to the most significant charge which resulted in the sentence with the greatest impact on the young person.

<sup>2</sup> Includes restitution, prohibition, seizure, forfeiture, compensation, pay purchaser, essays, apologies, counseling programs and conditional discharge.

Source: Youth Court Survey, Canadian Centre for Justice Statistics.

Table 6

# Sentences in Youth Courts, Canada and the Jurisdictions, 1999/00

	Most Significant Sentence							
	Total cases	Secure custody	Open custody	Secure and open custody	Probation	Fine	Community service order	Other <sup>1</sup>
		%	%	%	%	%	%	%
<b>Canada</b>	<b>68,184</b>	<b>17</b>	<b>17</b>	<b>34</b>	<b>48</b>	<b>6</b>	<b>7</b>	<b>5</b>
Newfoundland	1,368	25	16	41	51	3	2	4
Prince Edward Island	279	18	28	46	46	3	3	1
Nova Scotia	2,255	3	33	36	51	7	5	1
New Brunswick	1,990	19	13	32	60	6	-	3
Quebec	8,772	16	11	27	57	3	8	5
Ontario	23,357	19	20	40	48	3	5	4
Manitoba	3,972	12	15	28	51	8	6	8
Saskatchewan	5,955	20	14	34	48	5	11	3
Alberta	11,477	18	10	28	36	16	14	6
British Columbia	8,075	12	22	34	54	4	3	5
Yukon	242	32	16	48	34	2	9	7
Northwest Territories	341	24	34	58	27	4	5	6
Nunavut*	101	10	17	27	65	2	3	3

- nil or zero.

\* In data for fiscal year 1999/00, there is an unknown amount of undercoverage.

<sup>1</sup> Other includes compensation, pay purchaser, compensation in kind, restitution, prohibition, seizure, forfeiture, conditional discharge, absolute discharge, essays, apologies and counselling programs.

Source: Youth Court Survey, Canadian Centre for Justice Statistics.



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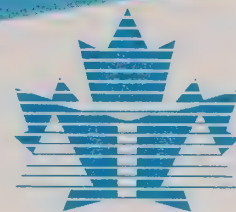
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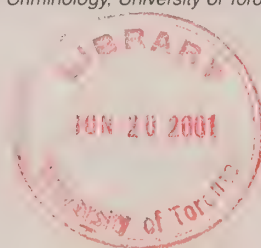
## PROBLEM BEHAVIOUR AND DELINQUENCY IN CHILDREN AND YOUTH

by Jane B. Sprott, Anthony N. Doob and Jennifer M. Jenkins\*

### Highlights

- As is found in almost all studies of delinquency, girls were less likely to report being involved in delinquent acts than were boys. For example, 29% of girls aged 12 to 13 reported being involved in some type of aggressive behaviour, including such things as, threatening someone and getting into fights, compared to 56% of boys aged 12 to 13. The majority of aggressive behaviours were relatively minor.
- Self-reported rates of aggressive behaviour were highest in the Prairies. Quebec 12 or 13 year old youths report the lowest level of aggressive behaviour compared to 12 to 13 year olds living in other regions.
- Many children involved in delinquent acts involving property were also likely to be involved in aggressive behaviour. Forty-seven percent of the 12 and 13 year olds who reported high frequencies of delinquent acts involving property also reported high frequencies of aggressive behaviour.
- Data demonstrate the challenges of dealing with aggressive youth by focusing solely on those who are 'highly aggressive' at age 10 and 11. For example, of the children who were at the highest frequencies of aggressive behaviour at age 10 and 11, 45% were not reporting any aggressive behaviour two years later at age 12 and 13.
- Of the youths who were not aggressive at age 10 and 11, only 5% reported involvement in relatively high frequencies of aggressive behaviour at age 12 and 13.
- Children who reported being bullied at school were more likely than those who were not bullied to be aggressive. Ten percent of 12 and 13 year olds who were never or rarely bullied reported high frequencies of aggressiveness whereas 20% of 12 and 13 year olds who reported being bullied a lot were involved in high frequencies of aggressive behaviour.
- Children who experience higher levels of punitive parenting and lower parental nurturance are also more likely to report high frequencies of aggressive behaviour.
- Children who were involved in aggressive behaviour were more likely to be depressed. Of those who were not very depressed, 5% were involved in high frequencies of aggressiveness whereas seventeen percent of youths who were very depressed reported being involved in high frequencies of aggressive behaviour at age 12 and 13. The same pattern emerged with delinquent acts involving property.

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## Introduction

Most young people, during adolescence, do things that could be considered delinquent. Many of these behaviours or offences, which never get reported to the police, are non-violent in nature. There is some evidence, however, that those youths who are involved in aggressive acts may be different from the youths who are largely involved in delinquent acts involving property.<sup>1</sup> A number of factors in children's lives such as aspects of family and school life and characteristics of individual children have been found in previous studies to be associated with various types of delinquent behaviour.

Using data from Statistics Canada's National Longitudinal Survey on Children and Youth, this *Juristat* will examine delinquency as reported by youths between 10 and 13 years of age. Specifically four different issues will be explored. First, the demographic variation in delinquency is assessed. Second, to understand life-course trajectories of children and youth involved in aggressive behaviour and delinquent acts involving property, stability in delinquency is examined. Third, to understand *why* young people commit delinquent acts, it is important to differentiate aggressive behaviour from other types of delinquency. Therefore, the relationship between aggressive behaviour and acts involving property is examined. Finally, the most common risk factors in childhood and early adolescence are presented.

## Measuring Delinquency

Delinquency has been measured in many different ways. The data to be reported in this report are based on the self-reports of children and youth who participated in the National Longitudinal Survey of Children and Youth. Through this survey a representative sample of children and youths across Canada were asked questions about their own delinquent behaviour. This method of measuring delinquency has the advantage of obtaining information about offences that are not reported to the police or in any other way recorded officially.

Are people willing to admit that they have committed delinquent acts? Studies have examined self-reported delinquency where the offender indicated that there was police contact and, generally speaking, there was a relatively high degree of correspondence between self-report measures and "official" records of contact. It should be remembered, however, that rates of offending depend on the nature and specificity of the questions asked. Detailed questions (e.g. Have you broken a window in a house?) are more likely to result in reports of delinquency than are general questions (e.g. Have you damaged someone's property?<sup>2</sup>). Further, most of the incidents that are reported in self-report surveys are relatively minor. The most serious types of delinquent acts have too low an incidence to be reliably estimated using relative small samples.

The focus of this paper is largely on whether groups of youths differ in their delinquency rates, and thus the patterns that they show in their rates of delinquency. Hence the concern is more with whether groups differ in a particular direction in their rates of delinquency, rather than the exact rate of delinquency. This is because the specificity or form of the question that has been asked in a self-report instrument affects the rates. Given that the findings in this report are largely consistent with theories and findings from a variety of other studies that used a variety of different self-report questions, the results are considered reliable. When the apparent differences between groups could easily have occurred by chance, the finding has been labelled "non-significant". In the absence of an indication that something is *not*

<sup>1</sup> Moffitt (1993) suggests that the background of youths who appear to be troublesome early in their lives and who, in adolescence, are likely to be involved in violent offending (labelled by Moffitt as "life-course persistent") is different from youths who are only involved in high volume (largely property) offending during adolescence ("adolescent limited" delinquents).

<sup>2</sup> The questions in the NLSCY tended to be general.



statistically significant, the observed differences between the groups can be assumed to be statistically significant ( $p < .05$ ).<sup>3</sup>

#### Text Box 1

##### National Longitudinal Survey of Children and Youth

The data that are reported here are derived from the National Longitudinal Study of Children and Youth, a joint project of Statistics Canada and Human Resources Development Canada. As the survey's name implies, this is a longitudinal study where a group of children from shortly after their birth to age 11 are being studied every two years until they reach the age of 25. For the younger children (age 9 and under), data are collected from the person in the household most knowledgeable about the child (Person Most Knowledgeable, or PMK<sup>4</sup>). For children in school (kindergarten and higher), data are collected, as well, from teachers and the school principal. And from age 10 onwards, the youths themselves answer questions. The data that "delinquency" rates are based on derive largely from written "self-report" forms filled out by the children and returned to Statistics Canada. The first "cycle" of data was collected in 1994/95. At that time, the oldest children in the sample were 10 or 11 years old.

At the time of the writing of this report, the only self-report delinquency data that were available for analysis came from cycle 1 (1994/95) and cycle 2 (1996/97). There were some changes made in the questions that were asked of young people in the two "cycles" of data. Therefore, when comparing cycle 1 and cycle 2 data only those questions that were asked in both cycles were included in the analysis. This means that when cycle 1 data were compared to cycle 2 data, one subset of questions was used. When groups (e.g. males and females) were compared on delinquency at age 12 and 13 (cycle 2) a different subset of questions was used. In each case as complete a measure as possible was used for that comparison. Comparisons across tables are, therefore, problematic.

### Male youth more likely than female youth to display delinquent behaviour

As is found in almost all studies of delinquency and in police reported statistics, females were less likely to be involved in delinquent behaviour than were males (Table 1). For example, 70% of females were not involved in delinquent acts involving property compared to 60% of males. In addition, 71% of females did not report any aggressive behaviour but only 44% of males reported no aggressive behaviour.

Table 1

#### Gender differences in self-report delinquency at age 12-13

Type of delinquent behaviour	Gender	Level of delinquency			
		None	Some	High	Total
Delinquent acts involving property	Females	70%	23%	7%	100% (967)
	Males	60%	27%	13%	100% (964)
Aggressive behaviour	Females	71%	22%	7%	100% (981)
	Males	44%	40%	16%	100% (974)

Source: National Longitudinal Survey of Children and Youth, 1994/95 and 1996/97.

#### Text Box 2

##### Defining delinquency

Questions related to delinquent acts involving property asked of both 10-11 and 12-13 year olds inquired about the frequency (never, sometimes, often) of: stealing at home, stealing outside the home, destroying other people's things and vandalizing. These four questions were added together to produce a scale which was then re-coded into "none", "some" or "a lot" of delinquent acts involving property. There were only two questions related to aggressive behaviour asked of both 10-11 and 12-13 year olds: frequency (never, sometimes, often) of getting in fights and physically attacking people. Again, these two questions were summed to produce a scale that was re-coded into "none", "some" or "a lot" of aggressive behaviour. For all of these questions there was no specific reference period (i.e. past year or in lifetime).

When using only cycle two data (12 and 13 year olds), the acts involving property measure consisted of the following eight questions: past year stolen something from a store, stolen something from school, taken money from parents, broken into a house, sold something you knew was stolen, damaged something, taken a purse or wallet, and taken a car. The aggressive behaviour measure included the addition of the following nine questions: past year threatened to beat someone up, was in a fight but no serious injuries, fight with serious injuries, fight and used weapon, used knife for attack, threatened to get money, attempted sexual touching, forced sex, and set fire to something. In order to include as many cases as possible, children were retained if they answered at least half of the questions. The modal response (never engaged in the delinquent behavior) was substituted for their few missing responses. With both scales, the questions were added together and then re-coded into "none", "some" or "a lot" of aggressive behaviour or acts involving property.

Readers are cautioned that it is probably not meaningful to make simple comparisons across "types" of delinquency. The fact that, for example, delinquent acts involving property appears to be less prevalent than aggressive behaviour (See Table 1) may reflect more the nature and specificity of the two types of questions that were asked rather than any "real" underlying difference.

It is suggested that readers focus on the broad trends rather than specific results. Some irregularities that occurred in some of the findings may have more to do with how different measures were constructed as opposed to real underlying differences. For example Figure 8 – the general result is that the more risk factors children experience the more likely they are to be involved in delinquency. The readers are cautioned against making specific inferences about how the exact number of risk factors relate differently to aggressive behaviour or delinquent acts involving property. In addition, the statistical tests that were performed tested whether there were overall differences rather than differences between specific subsets of the data.

<sup>3</sup> Each child in the National Longitudinal Study of Children and Youth can be seen as representing a certain number of youths in the Canadian population. The exact number depends on sampling decisions and on the ability of interviewers to locate and interview chosen youth. The difference between the characteristics of the sample and the relevant characteristics of the Canadian youth population can be minimized by using a "weight" for each person representing the number of youths in the Canadian population each sampled youth represents. These weights, calculated by Statistics Canada, were then divided by a constant to ensure that the total sample size in each analysis approximated the size of the sample contributing to the analysis for the purpose of calculating the "statistical significance" of differences between groups of respondents.

<sup>4</sup> For presentation purposes, the "person most knowledgeable" about the youth (the "PMK") is referred to as the "parent" because in most cases it is the mother or father (usually the mother).



## Rates of delinquency highest among youth living in the Prairie Provinces

There was also variation across provinces in self-reported delinquency. For both delinquent acts involving property and aggressive behaviour, the Prairies appear to be relatively high (Table 2). Quebec 12-13 year old youths report the lowest level of aggressive behaviour. Youths from the Atlantic provinces, Quebec, and B.C. were most likely to report no involvement in delinquent acts involving property. Comparisons of these data to criminal justice indicators (e.g. police reports of crime or youth court data) are problematic since these latter measures reflect criminal justice decision making and citizen reporting as well as youth behaviour.

Table 2

### Regional variation in self-report delinquency among 12-13 year olds

		Level of delinquency			
		None	Some	A lot	Total
Aggressive behaviour	Atlantic	60%	28%	12%	100% (469)
	Quebec	68%	23%	9%	100% (378)
	Ontario	55%	32%	12%	100% (499)
	Prairies	47%	39%	14%	100% (462)
	B.C.	60%	31%	9%	100% (144)
Delinquent acts involving property	Atlantic	68%	23%	8%	100% (461)
	Quebec	68%	19%	13%	100% (373)
	Ontario	63%	28%	9%	100% (494)
	Prairies	61%	27%	12%	100% (456)
	B.C.	69%	24%	8%	100% (144)

Source: National Longitudinal Survey of Children and Youth, 1994/95 and 1996/97.

## Income not a strong indicator of youth delinquency

There was not a strong link between income adequacy<sup>5</sup> and involvement in delinquency. Looking at aggressive behaviour first (Table 3), anywhere between 39% to 44% of children from all income groups reported being involved in some or a lot of aggressiveness.

Table 3

### Relationship between self-reported aggressive behaviour and income adequacy (age 12 and 13)

Income	Level of aggressive behaviour			
	None	Some	A lot	Total
Lowest/lower middle	56%	29%	15%	100% (286)
Middle	56%	35%	9%	100% (635)
Upper middle	61%	27%	12%	100% (713)
Highest	57%	33%	11%	100% (296)

Source: National Longitudinal Survey of Children and Youth, 1994/95 and 1996/97.

Table 4 shows the relationship between income adequacy and delinquent acts involving property. Again, there is no clear relationship. Children from the middle and upper middle income groups appeared to be the least likely to be involved in delinquent acts involving property.<sup>6</sup>

Table 4

### Relationship between self-reported delinquent acts involving property and income adequacy (age 12 and 13)

Income	Level of delinquency			
	None	Some	A lot	Total
Lowest/lower middle	59%	27%	14%	100% (31)
Middle	67%	25%	8%	100% (628)
Upper middle	67%	22%	11%	100% (704)
Highest	63%	28%	9%	100% (292)

Source: National Longitudinal Survey of Children and Youth, 1994/95 and 1996/97.

## Does delinquency in childhood continue into adolescence?

It is important to understand not only whether children who display delinquent or problem behaviour when they are young are likely to continue this behaviour into adolescence, but also to understand whether their behaviour increases or decreases in severity with age.

There are three ways to assess "stability" in delinquency. One way is to examine the level of delinquency from the two different groups of 10 and 11 year olds. This is one way to examine whether different cohorts of children are getting "worse" over time. As shown in Table 5<sup>7</sup>, there were no substantial differences in the level of delinquency of 10-11 year old youths in 1994/95 (Cycle 1) and 10-11 year olds in 1996/97 (Cycle 2). For example 62% of 10 and 11 year olds in 1994/5 reported no aggressive behaviour and 67% of 10 and 11 year olds in 1996/97 reported no aggressive behaviour. Obviously, this is not a very long time period. But the suggestion that youth during this period got "worse" (in terms of delinquency) is not supported by the data.

Another way to measure "stability" in delinquency is to examine how the youths themselves changed across the two-year period as they moved into early adolescence. It would appear that, in comparison to their behaviour when aged 10-11, these youths at age 12-13 were less likely to report being involved in aggressive behaviour and very slightly more likely to report some delinquent acts involving property (Table 6). For example 63% of 10 and 11 year olds reported no aggressive behaviour, but when they were 12 and 13, a higher proportion were reporting no involvement in aggressiveness (71%). With

<sup>5</sup> "Income adequacy" is a measure that combines household income with family size such that a larger family with an income equal to that of a smaller family is likely to have a lower "income adequacy" score.

<sup>6</sup> The relationship between income and delinquency is quite complex. See Wright et al. (1999).

<sup>7</sup> The Ns vary in the tables due to missing data on one or both of the variables.

respect to delinquent acts involving property, 83% of 10 and 11 year olds reported no acts against property and when they were 12 and 13, 78% reported no acts involving property.

Table 5

**Level of delinquency of 10-11 year olds in the two cycles of data**

Type of delinquent behaviour	Cycle	Level of delinquency			
		None	Some	High	Total
Delinquent acts involving property	1994/5	82%	10%	8%	100% (n=1746)
	1996/7	83%	10%	7%	100% (n=1779)
Aggressive behaviour	1994/5	62%	24%	14%	100% (n=1782)
	1996/7	67%	21%	13%	100% (n=1886)

Source: National Longitudinal Survey of Children and Youth, 1994/95 and 1996/97.

Table 6

**Level of delinquency of youths at age 10-11 and two years later at age 12 and 13 (longitudinal comparison)**

Type of delinquent behaviour	Age	Level of delinquency			
		None	Some	High	Total
Delinquent acts involving property	10 to 11 year olds	83%	10%	7%	100% (n=1746)
	12 to 13 year olds	78%	15%	7%	100% (n=1775)
Aggressive behaviour	10 to 11 year olds	63%	24%	13%	100% (n=1782)
	12 to 13 year olds	71%	18%	11%	100% (n=1838)

Source: National Longitudinal Survey of Children and Youth, 1994/95 and 1996/97.

A third way to investigate "stability" in delinquent behaviour is to examine whether the youths who were most involved in delinquency when they were 10-11 years old were the same youths who were highly involved in delinquency two years later, when they were 12-13 years old. As can be seen from Table 7, there is a good deal of consistency. For example, of the youths who were not aggressive at age 10 and 11, only 5% reported involvement in relatively high levels of aggressive behaviour at age 12 and 13. When one looks at those who were showing the highest level of aggressiveness at age 10-11, 24% were (relatively) highly aggressive at age 12-13. At the same time, however, the level of *inconsistency* is also important to consider. For example, of the children who were at the highest level of aggressive behaviour at age 10 and 11, 45% were not reporting any aggressive behaviour two years later at age 12 and 13. It is important to recognize, then, that while there is relative stability in these behaviours, many children have changed dramatically in their level of delinquency.

Data such as these demonstrate the challenges of dealing with aggressive youth by focusing solely on those who are "highly aggressive" at age 10-11. Two years later many of these youths are not exhibiting high levels of aggressiveness.

The same type of "stability" in delinquency can be examined for delinquent acts involving property. Again, there is considerable stability – 81% of youths who were not involved in acts involving property at age 10 and 11 were still not involved in any acts involving property at age 12 and 13 (Table 8). However, 63% of those youths who were involved in high levels of delinquent acts involving property at age 10 and 11 reported no acts involving property two years later at age 12 and 13. This again suggests that while there is consistency in delinquency, there is also some unpredictability in their pattern of delinquent behaviour as children get older.

Table 7

**Relationship between level of self-reported aggressive behaviour at age 10-11 to the level of self-reported aggressive behaviour at age 12-13**

Level of aggressive behaviour at age 10 to 11	Level of aggressive behaviour at age 12 to 13			
	None	Some	A lot	Total
None	82%	12%	5%	100% (n=1006)
Some	55%	28%	17%	100% (n=386)
High	45%	31%	24%	100% (n=233)

Source: National Longitudinal Survey of Children and Youth, 1994/95 and 1996/97.

Table 8

**Relationship between level of self-reported delinquent acts involving property at age 10-11 to the level of self-reported delinquent acts involving property at age 12-13**

Level of delinquent acts involving property at age 10 to 11	Level of delinquent acts involving property at age 12 to 13			
	None	Some	A lot	Total
None	81%	13%	6%	100% (n=1269)
Some	68%	26%	7%	100% (n=159)
High	63%	20%	17%	100% (n=110)

Source: National Longitudinal Survey of Children and Youth, 1994/95 and 1996/97.

**Relationship between aggressive behaviour and delinquent acts involving property**

Generally it appears that youths at age 12-13 who are involved in one type of delinquency (e.g., aggressive behaviour) are more likely to be involved in the other type of delinquency (e.g., delinquent acts involving property) than are youths who do not self-report delinquency at age 12-13 (Table 9). For example, of the youths who were not involved in any delinquent acts involving property, 69% also reported not being involved in any aggressive behaviour. Of those youths who reported being highly involved in delinquent acts involving property,



Table 9

**Relationship between level of involvement in delinquent acts involving property to the level of involvement in aggressive behaviour for 12 to 13 year olds**

Youths who report	Level of aggressive behaviour			Total
	None	Some	High	
No delinquent acts involving property	69%	26%	5%	100% (n=1271)
Some delinquent acts involving property	45%	42%	13%	100% (n=461)
High levels of delinquent acts involving property	17%	35%	47%	100% (n=186)

Source: National Longitudinal Survey of Children and Youth, 1994/95 and 1996/97.

only 17% reported no involvement in aggressive behaviour. A similar relationship was found when the youths were age 10-11 (not shown).

### Risk factors and delinquency

Factors that are associated with an increased likelihood that children will engage in delinquency are typically referred to as risk factors. Given that the major focus of this analysis is on cycle 2 when the children are age 12 and 13, these factors should not be thought of as causes of delinquency. It is not possible to determine which came first — the delinquent behaviour or the various risk factors. Therefore, the following tables of risk factors should be interpreted as correlates of delinquency — they are not necessarily causes.

Individual, family and school risk factors that have been found in previous research to be related to delinquency were examined. Where possible different perspectives were used for the risk and outcome variables (e.g. a child's report on involvement in aggressive behaviour and the parent's report on parenting style).<sup>8</sup>

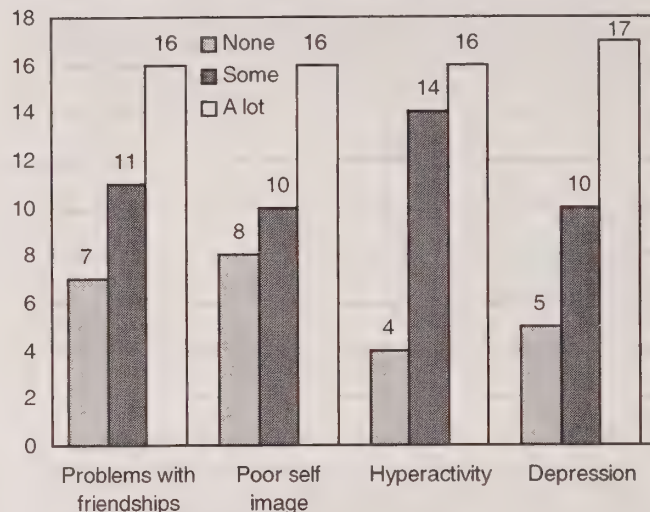
### Youth who were depressed were likely to be involved in aggressive behaviour

Individual risk factors include the child's self-report of social interactions with friends, general self-image, hyperactivity, depression and the parent's report of learning disabilities. Figure 1<sup>9</sup> shows the relationship between the prevalence of these risk factors and high levels of child aggressiveness. Only those children showing the highest level of aggressive behaviour are represented in the figure (for complete data see Table A). Figure 1 shows the proportion of children within various levels of risks that are showing high levels of aggressiveness. For example, 7% of those children with no problems with friends are involved in high levels of aggressive behaviour compared to 16% of the children who report a lot of problems with friends.<sup>10</sup> Children who reported negative self-images, higher levels of hyperactivity, and depression were also more likely to report involvement in aggressive behaviour. For those children with a learning disability (assessed from reports of the parent<sup>11</sup>) 21% report a high level of aggressive behaviours. For those without a learning disability, 11% report a high level of aggressive behaviours (see Table A).

Figure 1

**Percentage of children aged 12 to 13 reporting high levels of aggressive behaviour as a function of individual risk factors**

Percent of children reporting high levels of aggressive behaviours



Source: National Longitudinal Survey of Children and Youth, 1996/97.

### Depression was also related to delinquent acts involving property among youth

Looking next at the relationship between individual risk factors and delinquent acts involving property, a similar pattern emerges (Figure 2. For full data see Table B). For example, 14% of children who report a lot of problems with friendships also reported high levels of delinquent acts involving property. However, only 8% of the children who reported no problems with friends reported high levels of delinquent acts against property. Generally, the lower the children's self-image, the higher the hyperactivity and depression, the more likely they were to be engaging in high levels of delinquent acts involving property. The presence of a learning disability did not appear to be related to acts involving property. That is, children with learning disabilities were not significantly more likely to be involved in delinquent acts involving property than children without learning disabilities (see Table B).

<sup>8</sup> The reason for this is that it was preferable to eliminate the possibility that associations found between risk factors and outcome variables could be explained by informant bias (the same person reporting on both types of variables).

<sup>9</sup> The Figures generally contain the significant ( $p < .05$ ) findings. However, the Figures only contain a portion of the findings which were tested (only those children displaying the highest level of delinquency). In order to understand the overall significant relationships, readers should consult the complete tables (Tables A to G). In addition, for ease of presentation, the same labels were used for all variables in the Figures. Please consult the full tables for a clearer understanding of the exact labels for each variable.

<sup>10</sup> By implication 84% of children reporting a lot of problems with friends report low levels of aggressiveness and 93% of children reporting no problems with friends report low levels of aggressive behaviour.

<sup>11</sup> The parent was asked if the child had a learning disability.

Table A

### Relationship between aggressive behaviour at age 12-13 and various individual risk factors from the child's perspective

Youth self-report (12-13)	Age 12-13 aggressive behaviour			
	None	Some	A lot	Total
Problems with friends				
None	62%	31%	7%	100% (743)
Some	57%	32%	11%	100% (524)
A lot	54%	30%	16%	100% (688)
Poor self-image				
None	63%	29%	8%	100% (740)
Some	60%	30%	10%	100% (528)
A lot	51%	33%	16%	100% (687)
Hyperactivity				
None	72%	25%	4%	100% (614)
Some	55%	31%	14%	100% (596)
A lot	48%	36%	16%	100% (745)
Depression				
None	67%	28%	5%	100% (570)
Some	62%	28%	10%	100% (558)
A lot	48%	35%	17%	100% (827)
Learning disability <sup>1</sup>				
No	58%	31%	11%	100% (1859)
Yes	52%	27%	21%	100% (96)

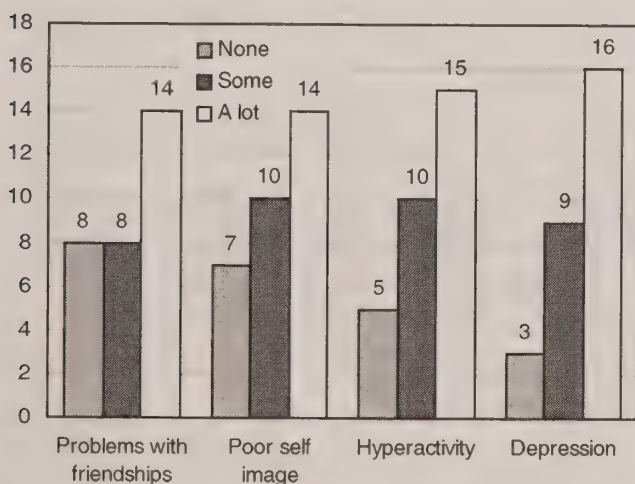
<sup>1</sup> Parent reported.

Source: National Longitudinal Survey of Children and Youth, 1996/97.

Figure 2

### Percentage of children aged 12 to 13 who report high levels of delinquent acts involving property as a function of individual risk factors

Percent of children reporting high levels of delinquent acts involving property



Source: National Longitudinal Survey of Children and Youth, 1996/97.

Table B

### Relationship between delinquent acts involving property at age 12-13 and various individual risk factors from the child's perspective

Youth self-report (12-13)	Age 12-13 delinquent acts involving property			
	None	Some	A lot	Total
Problems with friends				
Very positive	70%	22%	8%	100% (732)
All Right	68%	24%	8%	100% (522)
Negative	58%	28%	14%	100% (677)
Poor self-image				
Positive self image	73%	21%	7%	100% (728)
Moderate self image	66%	24%	10%	100% (521)
Negative self image	56%	30%	14%	100% (682)
Hyperactivity				
None	77%	18%	5%	100% (606)
Some	62%	28%	10%	100% (586)
A lot	57%	28%	15%	100% (739)
Depression				
None	77%	19%	3%	100% (568)
Some	67%	24%	9%	100% (552)
A lot	54%	30%	16%	100% (811)
Learning disability <sup>1</sup>				
No	65%	25%	11%	100% (1836)
Yes	66%	30%	4%	100% (95)

<sup>1</sup> Not statistically significant; parent report.

Source: National Longitudinal Survey of Children and Youth, 1996/97.

### Youth who experience punitive parenting and lack of parental nurturance more likely to be involved in delinquency

Family risk factors include the parent's report of whether the child had witnessed violence between adults in the home, punitive parenting, lack of parental nurturance, parental rejection and whom the child lives with. Considering first the child being a witness to physical violence in the home, 13% of children who witnessed violence in the home report that they engage in high levels of aggressive behaviour. Eleven percent of children who do not witness violence in the home report that they engage in high levels of aggressive behaviour (See Table C for complete data). Children who experience higher levels of punitive parenting, lower parental nurturance, and higher parental rejection are also more likely to report high levels of aggressive behaviour (Figure 3).

Looking next at delinquent acts involving property, only punitive parenting and lack of parental nurturance were related to this type of delinquency (See Figure 4. For complete data see Table D) with high levels of each of these being associated with higher levels of delinquency involving property. Witnessing violence in the home, parental rejection and whom the child lives with were not significantly related to acts involving property.



Table C

**Relationship between self-reported aggressive behaviour at age 12-13 and various family "risk" factors from the parent's perspective**

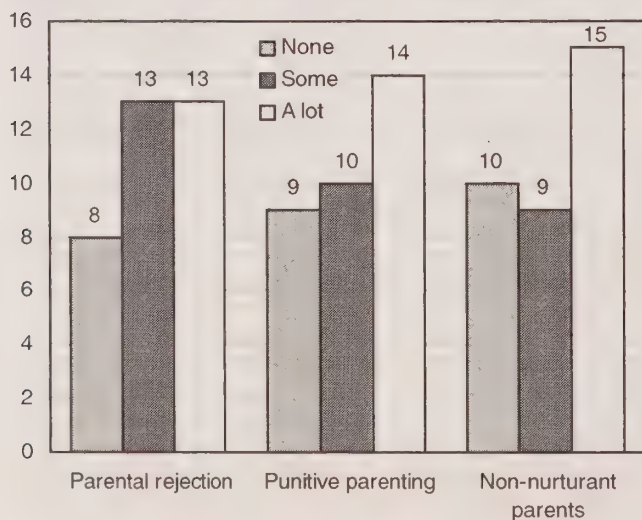
Parent's report	Age 12-13 aggressive behaviour (child's self-report)			
	None	Some	A lot	Total
Witness physical violence				
No	59%	30%	11%	100% (1751)
Yes	48%	39%	13%	100% (198)
Punitive parenting				
None	62%	29%	9%	100% (528)
Some	59%	30%	10%	100% (804)
A lot	53%	33%	14%	100% (620)
Lack of parental nurturance				
None	62%	28%	10%	100% (859)
Some	58%	33%	9%	100% (597)
A lot	51%	34%	15%	100% (496)
Parental rejection				
None	62%	30%	8%	100% (682)
Some	57%	30%	13%	100% (598)
A lot	54%	33%	13%	100% (672)
Who the child lives with				
One parent	52%	31%	17%	100% (323)
Two parents	59%	31%	10%	100% (1632)

Source: National Longitudinal Survey of Children and Youth, 1996/97.

Figure 3

**Percentage of children aged 12 to 13 reporting high levels of aggressive behaviour as a function of family risk factors**

Percent of children reporting high level of aggressive behaviour

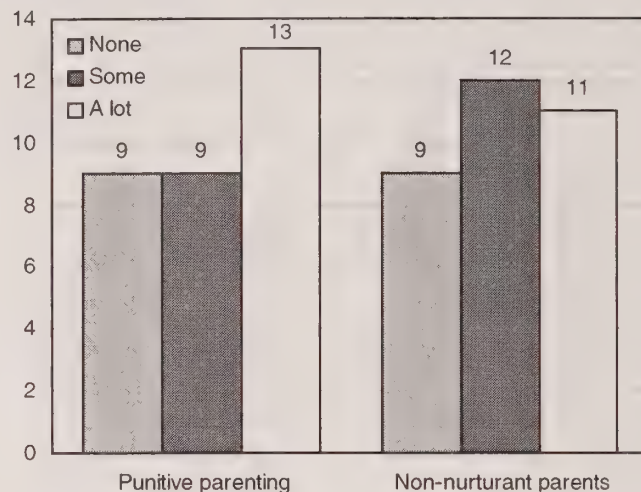


Source: National Longitudinal Survey of Children and Youth, 1996/97.

Figure 4

**Percentage of children aged 12 to 13 reporting high levels of delinquent acts involving property as a function of family risk factors**

Percent of children reporting high levels of delinquent acts involving property



Source: National Longitudinal Survey of Children and Youth, 1996/97.

Table D

**Relationship between self-reported delinquent acts involving property at age 12-13 and various family "risk" factors from the parents perspective**

Parent's report	Age 12-13 delinquent acts involving property (child's self-report)			
	None	Some	A lot	Total
Witness physical violence <sup>1</sup>				
No	65%	25%	10%	100% (1728)
Yes	66%	20%	14%	100% (197)
Punitive parenting				
None	69%	22%	9%	100% (519)
Some	68%	23%	9%	100% (798)
A lot	58%	30%	13%	100% (611)
Lack of parental nurturance				
None	68%	23%	9%	100% (850)
Some	65%	23%	12%	100% (591)
A lot	59%	30%	11%	100% (487)
Parental rejection <sup>1</sup>				
None	68%	24%	8%	100% (681)
Some	65%	24%	11%	100% (584)
A lot	62%	27%	12%	100% (663)
Who the child lives with <sup>1</sup>				
One parent	64%	26%	10%	100% (321)
Two parents	65%	25%	10%	100% (1610)

<sup>1</sup> Not statistically significant.

Source: National Longitudinal Survey of Children and Youth, 1996/97.

## Children who are bullied at school are also likely to be involved in aggressive behaviours

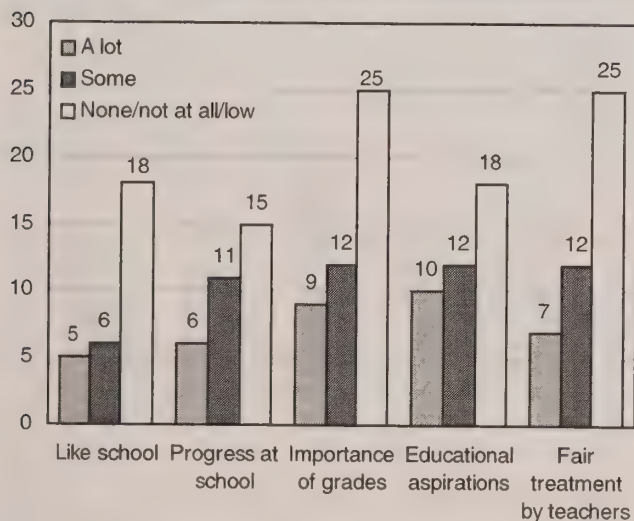
There was a relationship between youths' self-reported involvement in aggressive behaviours and perceived academic ability and aspirations. Specifically, children who were less committed to school were more likely to be involved in aggressive behaviour. For example, Figure 5 shows that only 5% of the children who report liking school a lot are involved in high levels of aggressive behaviours compared to 18% of children who report that they do not like school at all. Generally, children who do not like school, think that they are not doing well, think grades are not important, and do not want to go far in school are more likely to be involved in aggressive acts. In addition, those who think that their teacher does not treat them fairly are more likely to be involved in aggressive behaviours. Children who are skipping classes are more likely to be involved in aggressive acts (39%) than children who are not skipping classes (10%).

Finally, results for math achievement and reading achievement are somewhat inconsistent. Those with low or average math achievement were more likely to report involvement in at least some aggressive behaviour than were those with high math achievement. Contrary to expectation, however, this was not the case for reading achievement. Poor readers were not found to be more likely to engage in aggressive behaviour. (For full data see Table E).

Figure 5

### Percentage of children aged 12 to 13 reporting high levels of aggressive behaviours as a function of relative academic ability and aspirations

Percent of children reporting high levels of aggressive behaviours



Source: National Longitudinal Survey of Children and Youth, 1996/97.

Table E

### Relationship between aggressive behaviour at age 12-13 and child's perceived academic ability / aspirations

Youth self-report (12-13)	Age 12-13 aggressive behaviour			
	None	Some	A lot	Total
How much you like school				
A lot	73%	21%	5%	100% (320)
Some	65%	30%	6%	100% (700)
Not very much	46%	36%	18%	100% (900)
Progress at school				
A lot	69%	25%	6%	100% (602)
Some	54%	35%	11%	100% (703)
None	51%	34%	15%	100% (613)
How important to get good grades				
A lot	64%	27%	9%	100% (1054)
Somewhat important	51%	37%	12%	100% (662)
Not at all important	39%	36%	25%	100% (207)
Educational Aspirations				
A lot (Complete university)	62%	28%	10%	100% (1032)
Some (Complete college)	50%	38%	12%	100% (355)
Low (Complete high school)	42%	40%	18%	100% (178)
Fair treatment by teachers				
A lot	70%	23%	7%	100% (882)
Some	53%	35%	12%	100% (749)
None	36%	39%	25%	100% (273)
Skipped classes				
Never	60%	30%	10%	100% (1760)
Once or more	23%	39%	39%	100% (63)
Reading achievement score <sup>1</sup>				
High achievement	62%	28%	11%	100% (443)
Average achievement	59%	29%	12%	100% (501)
Low achievement	57%	33%	10%	100% (557)
Math achievement score				
High achievement	64%	26%	10%	100% (447)
Average achievement	56%	31%	13%	100% (470)
Low achievement	57%	34%	9%	100% (600)

<sup>1</sup> Not statistically significant.

Source: National Longitudinal Survey of Children and Youth, 1996/97.

Children's social relationships at school were also related to involvement in aggressive behaviours. Figure 6 demonstrates some of these relationships. Generally, when children feel unsafe at school, that they are being bullied, that other children say mean things to them, and that they feel like an outsider, they are more likely to be involved in aggressive behaviours. (Full data are given in Table F).

### Youth with low educational aspirations more likely to be involved in delinquent acts involving property

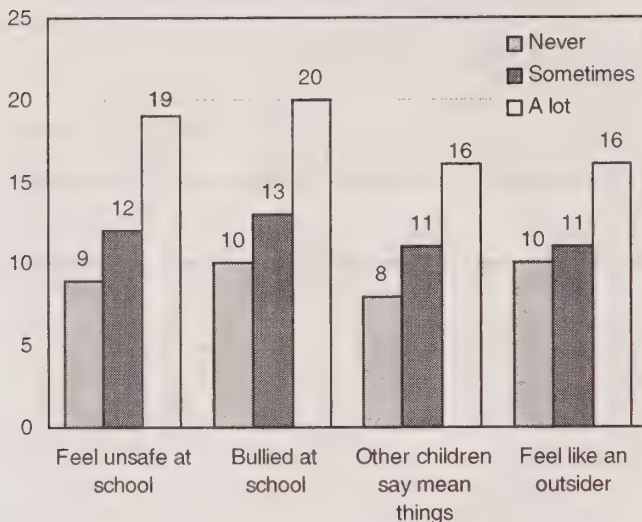
The relationship between academic ability and aspirations as well as school interpersonal relationships and delinquent acts involving property was also examined. Looking first at



Figure 6

### Percentage of children aged 12 to 13 reporting high levels of aggressive behaviour as a function of school relationships

Percent of children reporting high levels of aggressive behaviours



Source: National Longitudinal Survey of Children and Youth, 1996/97.

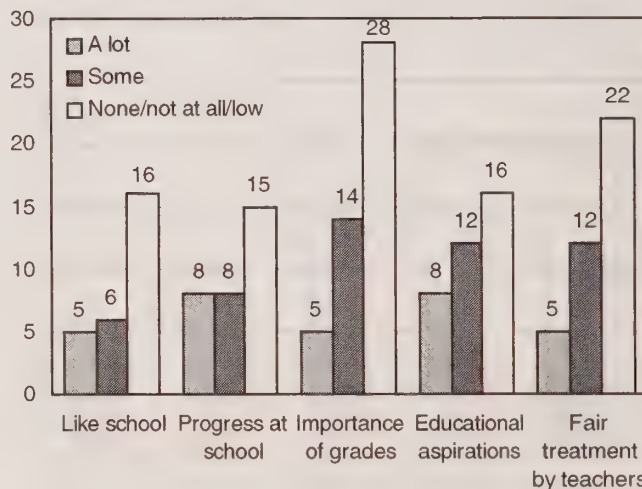
school achievement, there was a relationship between involvement in acts involving property and the various risk factors (Figure 7. For full data see Table G). For example, of the children who reported liking school a lot, 5% were involved in high levels of delinquent acts involving property compared to 16% of those who did not like school. Generally, children who do not like school, whose school progress is poor and think grades are not important are more likely to be involved in delinquent acts involving property. In addition, children who have lower educational aspirations, reported that their teachers do not treat them fairly and report skipping classes are more likely to report being involved in high levels of delinquent acts involving property. Finally, inconsistent with the findings for aggressive behaviour, those children who scored higher on reading achievement tests were less likely to be involved in delinquent acts involving property, but there was no relationship between this type of delinquency and math achievement tests.<sup>12</sup>

Finally, delinquent acts involving property did not appear to be as highly related to children's social relationships at school as aggressive behaviour was (Table 10). Only feeling unsafe at school and reporting that other children say mean things to them were related to acts involving property. Children who reported being bullied or feeling like an outsider were no more likely to report being involved in delinquent acts involving property than children who were not bullied or did not feel like outsiders.

Figure 7

### Percentage of children aged 12 to 13 reporting high levels of delinquent acts involving property as a function of relative academic ability and aspirations

Percent of children reporting high levels of delinquent acts involving property



Source: National Longitudinal Survey of Children and Youth, 1996/97.

<sup>12</sup> Math and reading achievement tests were tests administered to youths as part of the NLSCY interview.

Table F

### Relationship between aggressive behaviour at age 12-13 and child's school interpersonal relationships

Youth self-report (12-13)	Age 12-13 aggressive behaviour			
	None	Some	A lot	Total
Feel unsafe at school				
Never	61%	30%	9%	100% (1085)
Sometimes	56%	32%	12%	100% (650)
A lot	47%	34%	19%	100% (190)
Bullied at school				
Never	62%	29%	10%	100% (1378)
Rarely	49%	38%	13%	100% (379)
Sometimes	43%	37%	20%	100% (166)
How often children say mean things to you				
Never	64%	28%	8%	100% (574)
Sometimes	59%	30%	11%	100% (911)
A lot	48%	36%	16%	100% (435)
Feel like an outsider at school				
Never	59%	31%	10%	100% (1201)
Sometimes	59%	30%	11%	100% (488)
A lot	52%	32%	16%	100% (238)

Source: National Longitudinal Survey of Children and Youth, 1996/97.

Table G

**Relationship between self-reported delinquent acts involving property at age 12-13 and child's perceived academic ability/aspirations**

Youth self-report (12-13)	Age 12-13 delinquent acts involving property			
	None	Some	A lot	Total
How much you like school				
A lot	74%	20%	5%	100% (322)
Some	71%	24%	6%	100% (691)
Not very much	55%	28%	16%	100% (889)
Progress at school				
A lot	71%	21%	8%	100% (594)
Some	66%	26%	8%	100% (690)
None	58%	27%	15%	100% (612)
Importance of good grades				
A lot	70%	25%	5%	100% (1040)
Some	63%	23%	14%	100% (658)
None	41%	31%	28%	100% (202)
Educational aspirations				
A lot (Complete university)	67%	25%	8%	100% (1017)
Some (Complete college)	59%	29%	12%	100% (354)
Low (Complete high school)	66%	18%	16%	100% (174)
Fair treatment by teachers				
A lot	75%	20%	5%	100% (874)
Some	62%	26%	12%	100% (735)
None	40%	38%	22%	100% (272)
Skipped classes				
Never	68%	25%	7%	100% (1744)
Once or more	17%	24%	58%	100% (62)
Reading achievement score				
High achievement	69%	22%	8%	100% (443)
Average achievement	66%	23%	11%	100% (502)
Low achievement	60%	31%	9%	100% (553)
Math achievement score <sup>1</sup>				
High achievement	67%	23%	10%	100% (438)
Average achievement	67%	24%	9%	100% (465)
Low achievement	63%	28%	9%	100% (601)

<sup>1</sup> Not statistically significant.

Source: National Longitudinal Survey of Children and Youth, 1996/97.

**The more risk factors children experience the more likely they are to be involved in delinquency**

Examining risk factors individually is instructive because one can see the exact nature of the relationship between self-reported delinquency and specific factors. However, another way of conceptualizing risk is to see it as an accumulation of negative individual, family and environmental factors. That is, researchers usually add together all of the individual, social, situational and neighbourhood risk factors to create a scale ranging from zero risk factors to the highest number of risk factors present in the child's life.<sup>13</sup> All of the risk factors within

<sup>13</sup> See, for example: Born et al. (1997); Farrington (1998); Jenkins & Keating (1998); Jessor et al (1995); Loeber & Farrington (1998).

Table 10

**Relationship between delinquent acts involving property at age 12-13 and child's school interpersonal relationships**

Youth self-report (12-13)	Age 12-13 delinquent acts involving property			
	None	Some	A lot	Total
How often do you feel safe at				
Always	71%	20%	10%	100% (1077)
Most of the time	58%	31%	12%	100% (636)
Sometimes	60%	30%	10%	100% (188)
How often bullied at school <sup>1</sup>				
Never	66%	25%	9%	100% (1364)
Rarely	62%	26%	12%	100% (369)
Sometimes	62%	25%	13%	100% (165)
How often children say mean things to you				
Never	72%	20%	8%	100% (570)
Rarely	64%	26%	10%	100% (901)
Sometimes	57%	29%	14%	100% (427)
Feel like an outsider at school <sup>1</sup>				
Never	65%	25%	10%	100% (1185)
Rarely	64%	25%	11%	100% (481)
Sometimes	63%	27%	10%	100% (236)

<sup>1</sup> Not statistically significant.

Source: National Longitudinal Survey of Children and Youth, 1994/95 and 1996/97.

the different domains (individual, family and school) were summed and recoded to a maximum value of 3 risks within each domain. Scores for the three domains were then summed.

Figure 8 (see also Table H) illustrates the relationship between the proportion of children who report high levels of delinquency and the number of risk factors they face. Generally speaking, the more risk factors children face, the more likely they are to report heavy involvement in delinquency.

Table H

**Proportion of children (12-13) who report high levels of involvement in delinquency as a function of the number of risk factors**

Number of risk factors	Aggressive behaviour	Delinquent acts involving property
No risk factors	5% (272)	6% (269)
One or two risk factors	10% (329)	5% (328)
Three or more risk factors	16% (191)	16% (189)

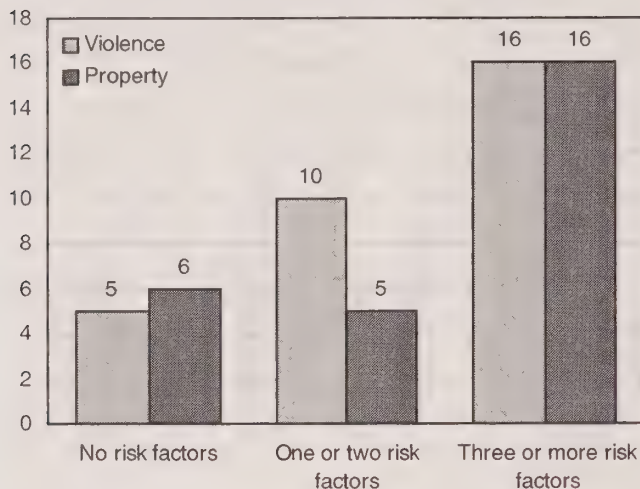
Source: National Longitudinal Survey of Children and Youth, 1996/97.



Figure 8

### Proportion of children aged 12 to 13 who report high levels of involvement in delinquency as a function of number of risk factors

Percent of children reporting high levels of delinquency



Source: National Longitudinal Survey of Children and Youth, 1996/97.

## Conclusion

What is, perhaps, most interesting about the findings reported here is that simple demographic variation – gender, income adequacy – may not be as important as *simple predictors* of delinquency of young people as are factors about their personal and social environment. Clearly certain school and family experiences are strongly related to delinquency. And, when one looks at certain factors as “risks” faced by the child, it is clear that those youths with the largest numbers of risks are considerably more likely to be involved in delinquency.

One should be cautious, of course, in interpreting these relationships as being causal. It may not make sense, for example, to consider skipping classes as a “cause” of high levels of involvement in delinquency. It is perhaps more plausible that youths for whom school is a negative experience are more likely to skip school and to be involved in various types of delinquency.

What does emerge, however, is a rather coherent picture of 12-13 year old delinquents. Although they are well distributed across income groups and provinces, they tend, disproportionately, to be experiencing risks in their interpersonal lives, their homes, and their schools.<sup>14</sup>

As further cycles of the National Longitudinal Study of Children and Youth collect more data on youths from birth through adolescence, these data will contribute to an understanding of not only what appears to be important in causing youths to get highly involved in delinquent behaviour, but also what types of experiences help protect youth from beginning or continuing these disturbing patterns of behaviour.

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<sup>14</sup> For a similar description of 10-11 year old aggressive children (from the National Longitudinal Study of Children and Youth), see Sprott & Doob (2000).

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## ADULT CORRECTIONAL SERVICES IN CANADA, 1999-00

by Charlene Lonmo

### HIGHLIGHTS

- On any given day in 1999/00, an average of 152,800 adults was under the supervision of correctional agencies in Canada, a 1% increase from the previous year.
- 31,600 individuals, or approximately one in five adult offenders under supervision in the correctional system, were in custody, a 2% decline from 1998/99. Almost 6 in 10 of these were provincial/territorial inmates.
- There were a further 121,100 individuals under some form of supervision in the community: 102,100 on probation; 9,000 serving conditional sentences; 8,100 supervised by Correctional Service of Canada and 1,900 on provincial parole.
- The adult incarceration rate in Canada in 1999/00 was 135 inmates (in remand, sentenced custody and temporary detention) per 100,000 adult population, a decrease of 3.6% from 1998/99.
- The number of adult admissions to custody in Canada decreased for the seventh year in a row. In 1999/00, there were 220,600 adults admitted to provincial/territorial and federal custody, a decrease of 2% over 1998/99. Approximately half were admitted to remand, 38% to provincial/territorial sentenced custody and 2% to federal sentenced custody. The remainder were admitted to "other/temporary detention" in provincial/territorial facilities (9%) or other federal custody (1%).
- Almost three-quarters of all admissions to provincial/territorial sentenced custody in 1999/00 were for three months or less; almost two-thirds of all admissions to federal sentenced custody were for less than four years.
- In 1999/00, there were 110,000 adults remanded to custody, a 4% increase compared to 1998/99. On any given day, there was an average of 6,700 individuals in remand, up 27% from 1995/96.
- There were 99,326 commencements of community supervision, a decrease of 5% from 1998/99. The majority of these were probation (73%), with the remainder consisting of conditional sentences (16%), federal and provincial parole (6%) and statutory releases (4%).
- Conditional sentence commencements increased 11% over the past year to 15,800. On any given day in 1999/00 there were 9,000 individuals on conditional sentence.
- In 1999/00, 3,800 adult federal offenders completed day parole, 1,700 completed full parole and 4,800 completed statutory release, for which success rates (i.e. the rate of completion without revocation for breach of condition or commission of an offence) were 83%, 73% and 58% respectively. Approximately 2% of conditional releases were revoked due to the commission of a violent offence.
- Spending on correctional services in Canada totalled \$2.4 billion in 1999/00. This represents an increase of 5% over 1998/99 after adjusting for inflation. Almost three-quarters was spent on custodial services, with the remainder spent on community supervision programs, headquarters and parole boards.



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## Introduction

The administration of corrections is divided between the federal government and the provincial/territorial governments. In general, if an individual is sentenced to custody for a term of two-years or more, their incarceration is the responsibility of the Correctional Service of Canada (CSC), a federal agency. The federal government also has responsibility for parole administration in all jurisdictions except **provincial offenders in Ontario, Quebec and British Columbia**, which operate their own provincial parole boards. All other corrections matters, such as remand, sentenced custody of less than two years and probation are handled by the provincial/territorial governments.

This *Juristat* provides data on the characteristics of the adult correctional population and the delivery of adult correctional services in Canada. It examines highlights from two surveys conducted by the Canadian Centre for Justice Statistics: the Adult Correctional Services (ACS) Survey and the Resources, Expenditures and Personnel (REP) Survey for correctional services.

### Measures of Correctional Activity: Admissions and Inmate Counts

This report makes use of two different indicators that describe the use of correctional services: (i) the number of annual admissions to correctional facilities or to community supervision programs; and (ii) the average count of offenders at a given point in time.

Admissions data are collected when the offender enters the institution or community supervision program. While admissions data describe and measure the changing caseload of correctional agencies over time, they do not indicate the number of unique individuals using correctional services since the same person can be included several times in annual admissions totals. Although the Adult Correctional Services Survey attempts to standardise the way in which status changes are counted, limitations due to differing jurisdictional operational systems may restrict uniform application of the definitions in some situations. For this reason, inter-jurisdictional comparisons of the actual numbers of admissions should only be made with caution. However, as a result of consistent counting practices within jurisdictions, statements may be made concerning the trends over time within each jurisdiction.

Average counts of inmates in custody or serving a sentence in the community at a given point in time provide a snapshot of the correctional population on any given day and are then used to calculate an annual average count. Average counts provide a useful operational measure for correctional managers and are used as formal indicators of the utilization of bed space in institutions. Typically, correctional officials perform daily counts of inmates in their facility and monthly counts of offenders under community supervision.

### Principles of Sentencing

Corrections sanctions are founded on the following objectives:

- 1) **Denunciation** refers to the state's obligation to express society's rejection of certain criminal acts by imposing a penalty. This consists of a loss of liberty, in varying degrees, for a period of time determined by the court according to law.
- 2) **Deterrence** focuses on the future, applying a level of sanction designed to discourage continued criminal conduct by both the offender and other, would-be offenders.
- 3) **Incapacitation** is the removal of the offender from society thereby restricting their opportunity to commit further offences.
- 4) **Rehabilitation** focuses on changing the behaviour of the offender by concentrating on the key factors and circumstances (for example drug and alcohol addiction) that led to the unlawful behaviour. Offenders should be given treatment in such areas as job and life skills, as well as being made aware of the impact of their actions on their victims and engendering a sense of understanding of their victims as individuals.
- 5) **Reparation** involves compensation of the victim by the offender.

Canada's justice system attempts to incorporate the elements from all these theories and principles, which are referred to in the sentencing provisions of the **Criminal Code** (Part XXIII and, in particular, s.718).<sup>1</sup>

<sup>1</sup> For further information on theories of corrections and sentencing see: The Keepers and the Kept: Introduction to Corrections in Canada, Ekstead, John W., and Margaret A. Jackson (Toronto: ITP Nelson, 1996) and Criminology: A Canadian Perspective, Linden, Rick (Toronto: Harcourt Canada, 2000).

## Overview of the Adult Correctional Population

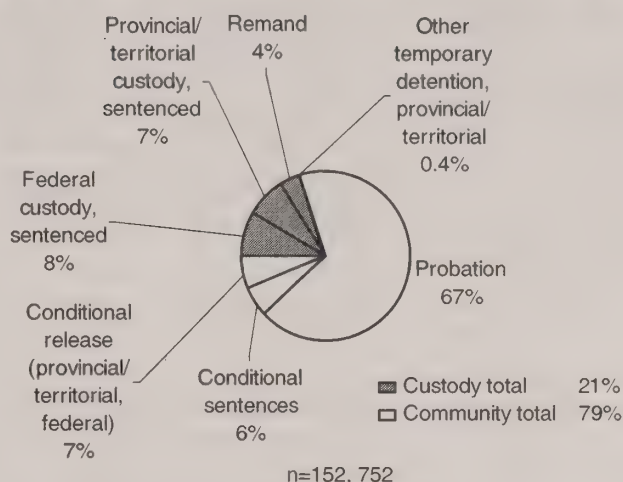
In 1999/00, one in five adult offenders supervised by correctional services were in custody

All federal and provincial/territorial jurisdictions in Canada maintain a count of the number of inmates in custody and offenders in the community as a standard means of examining the relative size of the population under supervision. In Canada, in 1999/00, there was an average of 152,752 offenders under some form of supervision on any given day (See Table 1). Of these offenders, 31,624 (or 21%) were in custody. Amongst offenders in custody: 41% were in federal custody, 36% were in provincial/territorial sentenced custody and 21% were in remand. A further 121,127 offenders were being supervised in the community, of which the majority (84%) were on supervised probation, 8% were on conditional release and 7% were offenders sentenced to a conditional sentence (*for more details, see section on community supervision*). Overall, approximately two-thirds of all offenders under correctional supervision were on probation (See Figure 1).

Inmates may be incarcerated in a provincial/territorial facility for a variety of reasons: custodial sentences of less than two years, remand while their case is being adjudicated or some form of other/temporary detention, such as "immigration holds". Of the 18,650 inmates held in provincial/territorial custody on any given day in 1999/00, 61% were in sentenced custody. The number of offenders in sentenced custody declined by 8% from the previous year, a trend that has been in effect since 1995/96. The average number of offenders held in provincial/territorial sentenced custody has fallen by 20% since 1995/96.

Figure 1

Composition of the adult correctional population (average count), 1999/00



Note: percentages may not add to total due to rounding.  
Source: Adult Correctional Services Survey.

Offenders in remand comprised more than one third of inmates in provincial/territorial custody at any given time in 1999/00. Offenders may be held in custody in remand for several reasons: there is a risk that they will fail to appear for their court date, they pose a danger to themselves and/or others, or they present a risk to re-offend. For most offences, the onus is on the prosecutor to establish justification for detaining

Table 1

Federal and Provincial/Territorial Offender Population, Average Count, 1999/00

	Provincial/Territorial							Federal				Total	% change
	Sentenced Custody	% change	Remand	% change	Total <sup>3</sup>	Community Supervision	% change	Custody	% change	Conditional Release <sup>4</sup>	% change		
1990/91	13,181	-5	4,711	14	17,944	85,340	13	11,289	-1	9,406	5	123,979	13
1991/92	13,925	6	4,947	5	18,940	95,970	12	11,783	4	9,707	3	136,400	10
1992/93	14,135	2	5,111	3	19,376	103,579	8	12,342	5	9,914	2	145,211	6
1993/94 <sup>1</sup>	14,251	1	5,130	-	19,481	106,262	3	13,322	8	10,132	2	149,197	3
1994/95	14,316	-	5,327	4	19,811	103,586	-3	13,948	5	9,422	-7	146,767	-2
1995/96	14,249	-	5,266	-1	19,730	105,130	1	14,076	1	9,272	-2	148,208	1
1996/97	13,522	-5	5,734	9	19,526	110,163	5	14,197	1	7,405	-20	151,291	2
1997/98	12,573	-7	6,109	7	18,955	115,730	5	13,759	-3	7,479	1	155,923	3
1998/99	12,478	-1	6,472	6	19,220	110,756	-4	13,173	-4	7,791	4	150,940	-3
1999/00 <sup>2</sup>	11,438	-8	6,665	3	18,650	113,032	7	12,974	-2	8,095	4	152,752	1

- nil or zero.

<sup>1</sup> Federal Conditional Release count was a snapshot taken on March 31.

<sup>2</sup> Due to major system modifications, community supervision data for Manitoba for 1999/00 were not available. Yearly change calculations have been adjusted accordingly.

<sup>3</sup> Provincial/Territorial Total also includes "other/temporary detention"

<sup>4</sup> This count includes all releases supervised by the National Parole Board.



offenders in custody prior to the adjudication of their crimes. Those not held in remand are released to the community on an order of 'judicial interim release', which may require the offender to deposit funds and/or abide by specific conditions as directed by the judge.<sup>2</sup>

From 1989/90 through 1995/96, individuals in remand represented between 26% and 28% of all offenders in provincial/territorial custody. Since then, the proportion of the custodial population in remand has increased and by 1999/00, 36% of all individuals in provincial/territorial custody were in remand. Ontario and Manitoba reported the highest proportion of their custodial population in remand, at 43% and 45% respectively. The Atlantic Provinces generally reported a lower proportion of individuals in remand with Prince Edward Island reporting the lowest level in Canada at 10%.

#### Trends in Remand

Since 1995/96, the number of individuals remanded to custody has increased by 3% but the average count of individuals in remand has increased by 27%. Accordingly, it would appear that the length of time individuals are spending in remand has increased. For example, between 1995/96 and 1999/00, the proportion of individuals admitted to remand for one week or less has declined from 66% to 55%. By contrast, the proportion of individuals held in remand for more than one week to three months has almost increased from 30% to 38%, while the proportion of those held for more than three months has tripled from 2% to 6% of all remanded individuals.

These increases in the remand population, both numerically and as a proportion of individuals in custody, have occurred despite a 10% decrease in criminal incidents recorded by the police and a 7% decrease in the number of adults charged since 1995/96. Given the 'high security' nature of remand facilities, the net effect has been an increase in the resources required to administer these spaces.

**Sources:** Adult Correctional Services Survey, Uniform Crime Reporting Survey (UCR2) and Adult Criminal Courts Survey, Canadian Centre for Justice Statistics, Statistics Canada

#### Profile of Offenders Admitted to Custody

While the average counts provide a picture of a typical day in the correctional system, admissions data look at individuals as they commence correctional programs, thus providing a measure of the case "flow" into the correctional system and its programs. Admissions counts include the number of remands as well as new program commencements, including sentenced custody, conditional sentences and community supervision. As such, the same individual can be counted more than once for each specific but separate program commenced while under continuous supervision. Jurisdictional counting systems are based on local priorities and information needs that may differ, sometimes substantially, from one jurisdiction to another. As such, inter-jurisdictional comparisons using these data should be made with caution.

In 1999/00, there were 220,569 custodial program commencements in Canada (See Table 2), representing a decrease of 2% from 1998/99<sup>3</sup>. The majority of these (97%) were to provincial/territorial custody. Remands accounted for 50% of the total, while provincial/territorial sentenced custody and "other/temporary detention" accounted for 38% and 10% respectively. The remaining 3% were to federal custody (See Figure 2).

Provincial/territorial sentenced custody program commencements have fallen by 26% since 1995/96 while remand admissions have risen by 3% over the same period.

<sup>2</sup> See s.515 of the Criminal Code for the provisions dealing with judicial interim release

<sup>3</sup> Note that British Columbia changed its reporting practice to include other/temporary detentions, which were not counted in the past. In 1999/00 there were 7,919 other/temporary detentions, which were included in the calculation of the total number of admissions but not in the calculation of the rate of change in the number of admissions.

#### Incarceration Rate

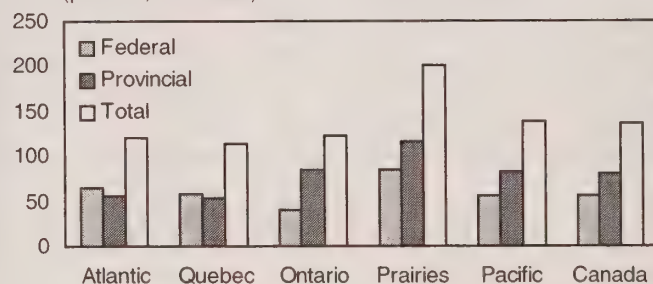
The Adult Correctional Services Survey calculates the incarceration rate as adult inmates (sentenced, remand and temporary detention) per 100,000 adult population using the average counts by jurisdiction. Using this definition, Canada's incarceration rate in 1999/00 was 135, a decline of 3.6% from 1998/99. Over the past twenty years, Canada's incarceration rate has ranged from a low of 128 in 1979/80 to a high of 154 in 1994/95. The rate has declined each year since 1994/95.

The incarceration rate varied by region with the Prairies reporting the highest rate and Quebec reporting the lowest. Quebec and Atlantic Canada had a higher rate of offenders in federal custody whereas Ontario, the Prairies and the Pacific region had a greater rate of offenders in provincial/territorial custody.



#### Regional Incarceration Rates 1999-2000

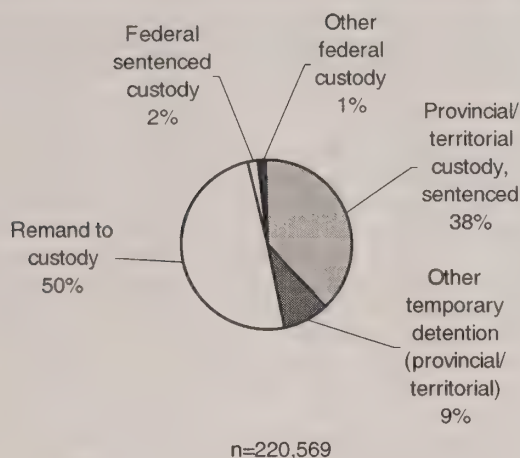
Rate (per 100,000 adults)



Note: According to CSC, data from Nunavut is combined with Ontario, Northwest Territories with Prairies and Yukon with BC

Figure 2

### Composition of the adult correctional population (admissions), 1999/00



Source: Adult Correctional Services Survey.

### Both federal and provincial/territorial sentenced custody program commencements are decreasing

Adult sentenced admissions to provincial/territorial custody declined by 9% from 1998/99, to 84,869 (See Table 3). Sentenced admissions to provincial/territorial custody were most noticeably lower in Newfoundland, Prince Edward Island, Quebec and Saskatchewan, which saw declines of 22%, 19%, 17% and 13% respectively. The other jurisdictions reported between 4 and 9% fewer sentenced admissions while British Columbia and Yukon reported levels that were basically unchanged.

Federally, adult admissions to custody numbered 7,152 in 1999/00 (See Table 2), a decrease of 4% over 1998/99 levels and 9% since 1995/96. Fifty-nine percent of federal admissions to custody were warrant of committal (i.e. sentenced) admissions and a further 36% were the result of revocation of parole. Admissions to federal sentenced custody declined by 6% over 1998/99.

### Most inmates in Canada have been incarcerated for non-violent offences

Admissions data are classified according to the most serious offence based on several factors, such as the length of the maximum penalty associated with the offence and whether violence was involved.

While most offenders admitted to custody are sentenced under the provisions of the *Criminal Code*, offenders may also be sentenced to custody pursuant to a variety of other federal legislation such as the *Controlled Drugs and Substances Act*, the *Canada Shipping Act*, the *Excise Act*, the *Immigration Act*, etc., or under provincial legislation.

Table 2

### Adult Admissions to Custody, 1999/00

Jurisdiction	Provincial/Territorial				Federal			
	Sentenced Custody	Remand	Other temporary	Total Provincial/territorial	Sentenced Custody	Revocation	Other	Total Federal
Newfoundland	936	263	9	1,208	...	...	...	...
Prince Edward Island	647	191	-	838	...	...	...	...
Nova Scotia	1,825	1,553	462	3,840	...	...	...	...
New Brunswick	2,179	1,301	-	3,480	...	...	...	...
Quebec	18,016	25,814	2,698	46,528	...	...	...	...
Ontario	30,747	46,637	5,533	82,917	...	...	...	...
Manitoba	1,268	4,860	2,036	8,164	...	...	...	...
Saskatchewan	3,368	8,665	200	12,233	...	...	...	...
Alberta	14,728	7,784	-	22,512	...	...	...	...
British Columbia	9,739	11,602	7,919	29,260	...	...	...	...
Yukon	308	321	6	635	...	...	...	...
Northwest Territories	1,108	694	..	1,802	...	...	...	...
Nunavut <sup>1</sup>	..	..	..	..	...	...	...	...
Provincial/Territorial Total	84,869	109,685	18,862	213,417	...	...	...	...
Federal	...	...	...	...	4,221	2,569	362	7,152
<b>Total Admissions</b>	<b>220,569</b>							

.. figures not available.

... figures not appropriate or applicable.

- nil or zero.

<sup>1</sup> Note that adult admissions data for Nunavut are not available



Table 3

### Adult admissions to sentenced custody, by selected characteristics, 1999/00

Jurisdiction	Number of admissions	Change from previous year (%)	Female (%)	Aboriginal (%)	Median age	Median Sentence Length (days)
Newfoundland	936	-22	6	7	..	..
Prince Edward Island	647	-19	8	1	..	..
Nova Scotia	1,825	-7	6	6	30	60
New Brunswick	2,179	-4	6	6	31	14
Quebec	18,016	-17	10	2	34	29
Ontario	30,747	-6	9	9	31	45
Manitoba	1,268	-9	8	57	30	61
Saskatchewan	3,368	-13	10	75	30	90
Alberta	14,728	-5	11	39	31	30
British Columbia	9,739	1	8	19	31	60
Yukon	308	3	8	66	33	30
Northwest Territories <sup>1</sup>	1,108	-30	5	..	..	..
Nunavut	..	..	..	..	..	..
Provincial/Territorial Total	84,869	-9	9	17	..	..
Federal Total	4,221	-6	5	17	31	1,111

.. figures not available.

... figures not appropriate or applicable.

<sup>1</sup> Figures reported by Northwest Territories no longer include figures reported by Nunavut.

Table 4

### Adult admissions to provincial/territorial and federal sentenced custody, by major offence, 1999/00

Jurisdiction	Unit of Count	Number	Criminal Code					Federal Statutes			Provincial/Territorial/Municipal Statutes	
			Crimes of violence	Property crimes	Impaired Driving	Other CC	Total	Drug offences	Other	Total	Total	Fine default admission <sup>1</sup>
Newfoundland	MSO	..	..	..	..	..	..	..	..	..	..	..
Prince Edward Island	MSO	647	9	29	4	12	53	11	19	30	17	1
Nova Scotia	MSO	1,825	18	20	9	34	81	8	3	11	8	19
New Brunswick	MSO	2,179	9	14	6	35	63	3	25	29	9	11
Quebec	MSO	18,016	5	9	12	9	35	5	1	6	60	59
Ontario	MSO	30,747	26	29	8	25	89	7	1	8	3	..
Manitoba	MSO	1,268	..	..	..	..	..	..	..	..	..	..
Saskatchewan	MSO	3,368	32	19	14	26	90	1	4	4	6	6
British Columbia	MSD	9,739	20	26	4	16	66	9	20	29	6	1
Northwest Territories	..	..	..	..	..	..	..	..	..	..	..	..
Nunavut	..	..	..	..	..	..	..	..	..	..	..	..
Total Provincial/Territorial	MSO/MSD <sup>2</sup>	67,789	20	23	9	21	72	6	5	12	16	19
Federal	MSO	4,221	52	18	2	10	83	17	..	17	..	..
<b>Number of Charges of Adults Sentenced to Custody<sup>2</sup></b>												
Alberta	MC	41,222	8	22	5	30	66	4	1	5	29	33
Yukon	MC	1,856	16	17	7	53	92	4	2	6	2	2

Note: Figures may not add due to rounding

.. figures not available

... figures not appropriate or applicable

-- amount too small to be expressed.

MSO - Most Serious Offence

MSD - Most Serious Disposition

MC - Multiple Charge

<sup>1</sup> The percentage shown for 'Fine default admissions' is based on the total number of sentenced admissions in Table 3 i.e., at least one of the charges the offender was convicted for was fine default).

<sup>2</sup> Alberta and Yukon classify program commencement using a 'multiple charge' method. This means that an individual commencing a custody program for multiple charges will be counted for each distinct but separate charge. As such, these data are excluded from the provincial/territorial total and are presented separately.

In 1999/00, approximately 3% of all incarcerated offenders were admitted to federal institutions. Of these offenders, the majority (52%) were admitted for a violent offence. Property offences accounted for 18% while "other *Criminal Code* offences", other federal and provincial statute offences and impaired driving accounted for 10% and 2% respectively. Virtually all other federal admissions were for offences under the *Controlled Drugs and Substances Act*. This distribution of offence type for federal admissions has remained fairly stable over the past five years.

In contrast to federal admissions, only 20% of provincial/territorial offenders were admitted for a violent offence. In fact, 44% were admitted for property crimes or other *Criminal Code* offences (e.g. disturbing the peace, public morals offences and offences against the administration of justice such as failing to appear or to comply with an undertaking), while another 19% were incarcerated for fine default. Impaired driving, drug offences and other federal offences accounted for 9%, 6% and 5% of admissions respectively while the remainder were for provincial/territorial offences.

There is considerable variation between jurisdictions in the offence types for which offenders commence sentenced custody. In 1999/00, at least 30% of all adult admissions to sentenced custody in Nova Scotia, New Brunswick and Alberta, and over 50% of such admissions in the Yukon were the result of "other *Criminal Code* offences". Many of these are against the administration of justice and are usually among the more minor *Criminal Code* offences. In addition, 6 in 10 provincial custodial commencements in Quebec were for fine default while 1 in 3 offenders in Alberta was also admitted for this reason.

In some jurisdictions, the percentage of offenders being incarcerated for violent offences appears to be increasing. For example, in Saskatchewan, 32% were incarcerated for violent offences in 1999/00, up from 23% in 1998/99.<sup>4</sup> In British Columbia, 20% were incarcerated on a violent offence, an increase from 16% in 1998/99. In contrast, in Ontario, the reverse occurred, with 26% of offenders admitted to sentenced custody for violent offences in 1999/00, down 24% from the year before.

### Nearly one half of sentenced admissions to provincial custody were terms of less than a month

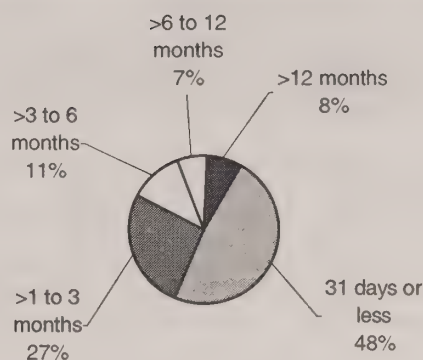
Roughly one-third of sentenced admissions to provincial sentenced custody were between 8 and 31 days. In almost all jurisdictions the next most common sentence lengths were between 32 and 92 days (27%); New Brunswick and Alberta were the exceptions where sentences of between 1 and 7 days were more common. Overall, almost half of all sentenced admissions were for a term of one month or less.

Federally, two-thirds of the 4,221 sentenced admissions to federal custody in 1999/00 were for terms under four years. Four percent of all sentenced admissions to federal custody were life sentences. The percentage of life sentences has not varied significantly over the past 20 years.

Figure 3



### Length of Aggregate Sentences to Provincial/Territorial, 1999/00



n=84,869

Source: Adult Correctional Services Survey.

### Federal Sentence Length percent

Federal Sentence Length	percent
2 years < 3 years	46
3 years < 4 years	21
4 years < 5 years	11
5 years < 10 years	14
10 years or more (but not life)	3
Life	4

### A sentenced adult entering a custodial facility in 1999/00 was likely to be a male between the ages of 18 and 34

In general, most inmates commencing sentenced custody are male; women constituted only 9% of provincial/territorial admissions and 5% of federal admissions in 1999/00 (See Figure 4). While the proportion of women commencing sentenced custody continues to be significantly lower than that of men, it has been increasing. For example, in 1979/80, 6% of all provincial/territorial admissions were females. This proportion rose slowly to 9% by 1991/92 and has remained fairly constant since then.

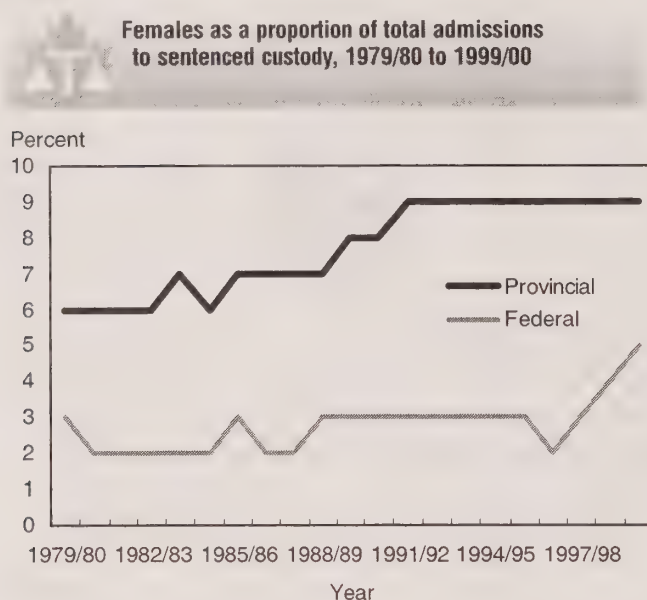
However, at the federal level, women constituted less than 3% of all federal warrant of committal admissions between 1979/80 and 1997/98 but reached 5% by 1999/00. In fact, during this period, there have been more total annual

<sup>4</sup> Data from the Uniform Crime Reporting Survey indicate that neither the number nor the proportion of charges for violent offences in the past year would account for this shift. Saskatchewan has recently begun to include risk assessments in pre-sentence reports, thus enabling the courts to better identify those offenders who would be appropriate candidates for conditional sentences. Further data will be required to establish whether this change accounts for the shift in offence profile of those admitted to sentenced custody.



admissions of females to federal custody than in the years prior to 1998/99 (almost 200 total admissions per year in 1998/99 and 1999/00 as compared to less than 145 total admissions prior to this period).

Figure 4

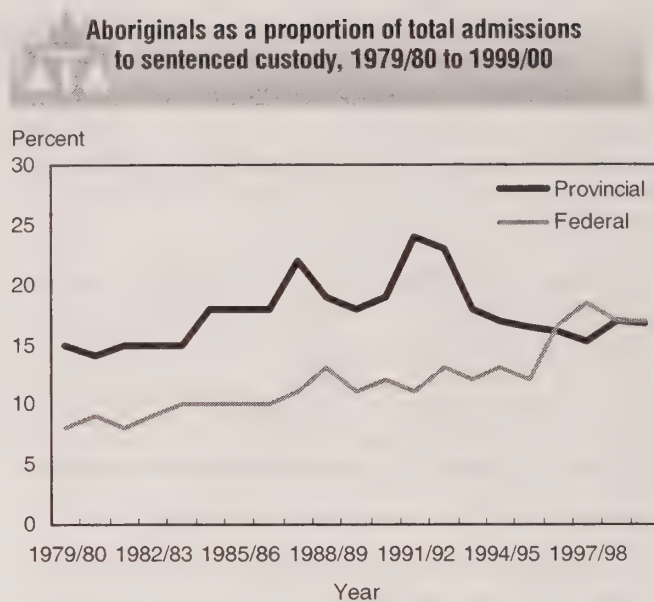


Source: Adult Correctional Services Survey.

### Aboriginals continue to be over-represented as a proportion of both federal and provincial/territorial sentenced custody

The 1996 Census of Population indicated that Aboriginal peoples constituted 2% of the total Canadian adult population. In 1999/00 they constituted approximately 17% of admissions to both provincial/territorial and federal sentenced custody (See Figure 5). Over the last twenty years the proportion of Aboriginals commencing provincial/territorial incarceration has remained relatively constant between 15% and 18% (except for the interval between 1987/88 and 1992/93). However, their representation with respect to federal sentenced custody has increased steadily over the past 20 years, from 8% to 17%. In fact, over the past four years the proportion of Aboriginal representation among federal sentenced inmate admissions has equalled or exceeded that of provincial/territorial inmate populations. This increase has occurred despite changes made by Parliament to the sentencing provisions of the *Criminal Code*. These changes, which were endorsed by the Supreme Court of Canada in *R. v. Gladue*, were designed to address Aboriginal over-representation in custody. While Aboriginals are generally over-represented in inmate admissions throughout the country, they constitute the majority of both federal and provincial/territorial sentenced admissions in Manitoba and Saskatchewan, as well as the majority of federal sentenced admissions in the Northwest Territories and Nunavut and the majority of territorial offenders in the Yukon.<sup>5</sup>

Figure 5



Source: Adult Correctional Services Survey.

### Sentencing Aboriginal Offenders

Recent changes to the *Criminal Code* were designed to address the issue of Aboriginal over-representation within the sentenced inmate population. These changes have been endorsed by the Supreme Court of Canada in such decisions as *R. v. Gladue* (1998) and *R. v. Wells* (1999). In fact, s.718.2 (e) of the *Criminal Code* provides that "all available sanctions other than imprisonment that are reasonable in the circumstances should be considered for all offenders, with particular attention to the circumstances of aboriginal offenders".

The Court also indicated that courts can take judicial notice of broad systemic and background factors affecting Aboriginal people. In practical terms, when attempting to determine the appropriate sentence for an Aboriginal offender, the court must take into account the primary importance of restorative justice principles within Aboriginal conceptions of sentencing. This does not mean, however, that judges must always put the greatest weight on this factor, particularly when the offence is very serious.

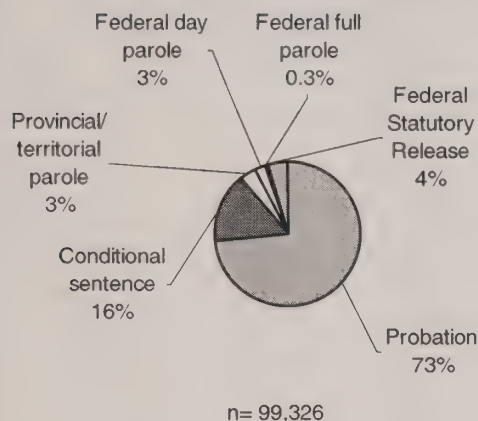
### Conditional Releases to Community Supervision

A conditional release refers to an offender being released into the community to serve the remainder of a custodial sentence. These releases are typically accompanied by specific conditions where failure to meet them can result in reincarceration.

<sup>5</sup> Note that 1996 Census data indicate that the proportion of Aboriginals within the population of these provinces and territories is significantly higher than the national average, ranging from 8% in Saskatchewan to over 50% in the Northwest Territories (before Nunavut was created).

Figure 6

### Composition of admissions to community supervision, 1999/00



Source: Adult Correctional Services Survey.

The National Parole Board (NPB) is responsible for the administration of all matters relating to conditional release for all federal offenders as well as for provincial/territorial parole for all but three provinces: British Columbia, Ontario and Quebec, which operate provincial parole boards.

### Completed releases supervised by the Correctional Service of Canada

For federal offenders there are three different types of conditional release to the community: day parole, full parole and statutory release.

Ordinarily, offenders are entitled to apply for day parole after one sixth of their sentence has been served<sup>6</sup>. However, in practice, the average offender released on day parole has served about one-third of his/her sentence<sup>7</sup>. Day parole permits offenders to participate in activities (such as training or treatment programs) in the community while still being under fairly close supervision. Typically, offenders granted day parole live in a correctional facility or halfway house. In 1999/00, there were 5,308 applications by federal offenders to the National Parole Board for day parole, of which 72% were granted (see Table 5).

Day parole releases were the most likely federal releases to be completed successfully. Of the 3,779 federal day parole completions<sup>8</sup> in 1999/00, 83% were successful (See Table 6), 12% were revoked for breach of condition, 5% were revoked as a result of the commission of a non-violent offence and less than 1% (or 29 parole releases) were revoked due to the commission of a violent offence.

Offenders are generally entitled to apply for full parole after having served one-third of their sentence in custody. The average actual amount of time served by those granted full parole was 40% of their sentence.<sup>9</sup> As with day parole, under full parole, offenders are released into the community with conditions. In 1999/00, there were 4,960 federal applications for full parole of which 44% were granted. This rate was consistent with that reported in 1998/99. Previous rates through the 1980s were stable at slightly more than 30%, but rose to the current rate over the past 10 years.

<sup>6</sup> Note that for the most serious offences, these eligibility provisions do not apply. Legislation and the sentencing judge determine eligibility for parole.

<sup>7</sup> p. 25, Performance Monitoring Report 1998/99, prepared by the National Parole Board, Performance Measurement Division

<sup>8</sup> Note that data on outcomes are based upon the number of terms of parole completed in the year, not the number of offenders released on parole.

<sup>9</sup> p. 32, Performance Monitoring Report 1998/99, prepared by the National Parole Board, Performance Measurement Division

Table 5

### Grant Rates for full and day parole, 1999/00

	Day Parole			Full Parole		
	Number of Applications	Applications Granted	Grant Rate	Number of Applications	Applications Granted	Grant Rate
%						
<b>National Parole Board</b>						
Federal offenders	5,308	3,838	72	4,960	2,169	44
Provincial offenders	376	286	76	684	416	61
<b>Provincial Parole Boards</b>						
Quebec	..	..	...	3,551	2,331	66
Ontario	..	..	...	2,523	702	28
British Columbia	..	..	...	..	..	...

.. figures not available

... figures not appropriate or applicable



Table 6

National Parole Board Outcomes<sup>1</sup>, 1999/00

	Cases	Regular Expiry	Release Revoked		
		Successful Completion	Breach of Condition	Non-violent Offence	Violent Offence
		%		%	
<b>Day Parole</b>					
Federal	3,779	83	12	5	1
Provincial/territorial	283	79	18	3	-
<b>Full Parole<sup>2</sup></b>					
Federal	1,677	73	14	11	2
Provincial/territorial	409	84	13	3	1
<b>Statutory Release</b>					
Federal	4,781	58	27	12	3
Provincial/territorial	...	...	...	...	...

<sup>1</sup> Outcomes represent only those for which the conditional release was completed during 1999/00.

<sup>2</sup> Full parole outcomes constitute determinate sentences only.

... figures not appropriate or applicable

- nil or zero

Federal offenders who completed full parole in 1999/00 had a success rate of 73%, with 1,221 of 1,677 completed successfully. Fourteen percent were terminated due to a breach of condition, 11% were terminated as a result of non-violent offences and 2% were terminated as a result of the commission of a violent offence.

Federal offenders are eligible for statutory release after having served two-thirds of their sentence. Regarding statutory releases, unlike applications for day and full parole, the onus is on the Correctional Service of Canada to make a recommendation to the National Parole Board as to why any offender should not be granted the release. Of the three types of conditional release, statutory releases were the least likely to be completed successfully. Of the 4,781 statutory release completions in 1999/00, 58% were completed successfully, 27% were revoked for breach of condition, 12% of statutory releases were revoked for non-violent offences and 3% for violent offences.<sup>10</sup>

## Community-Based Corrections

### On average, four of five provincial/territorial offenders in 1999/00 were supervised in the community

On any given day in 1999/00, there was an average of 113,032 provincial/territorial offenders being supervised in the community, an increase of 2% from 1998/99. This represents almost three-quarters of the total correctional population. Of these offenders, 90% were serving a sentence of probation, 8% a conditional sentence and 2% were on provincial parole.

### Probation program commencements down from 1998/99

In 1999/00, there were 72,789 intakes to probation, representing a decrease of 8% from 1998/99. In addition, there were 3,355 intakes to provincial parole and 15,792 intakes to conditional sentences.

As was the case with custody, most probationers in 1999/00 were male, however the percentage of female probationers was slightly higher than of females in custody; 16% of probationers were female as opposed to 9% of inmates in provincial/territorial custody. Aboriginal people constituted 12% of probationers, as compared to 17% of provincial/territorial inmates.

### Conditional Sentences

In September of 1996, the Sentencing Reform Bill (C-41) was enacted into law creating a new sentencing option – the conditional sentence. Like probation, conditional sentences are intended to be served in the community, but there are differences. These differences were enunciated by the Supreme Court of Canada in *R. v. Proulx* (1999). The Court indicated that conditional sentences were not to be confused with probation. While probation focuses on rehabilitation as its primary objective, conditional sentences are intended to provide both denunciation and rehabilitation. This means there should be a punitive element in the form of restrictions on liberty, such as house arrest. These restrictions, the Court stated, ought to be the norm, not the exception. In addition to restrictions on movement, more onerous conditions than those imposed under probation may be appropriate.

<sup>10</sup> There is a fourth type of release, called warrant expiry. Warrant expiry releases occur when the inmate has served the full sentence. This is not a type of conditional release however as there is no authority to impose any restrictions or conditions upon the offender.

Table 7

### Probation intakes by selected characteristics, 1999/00

Jurisdiction	Numer of admissions	Change from previous year	Percent female	Percent aboriginal	Median age
		%	%	%	
Newfoundland	1,811	-5	19	8	34
Prince Edward Island <sup>1</sup>	592	...	..	..	..
Nova Scotia	3,791	2	16	4	31
New Brunswick	1,429	-18	17	..	29
Quebec	7,098	3	13	8	31
Ontario	33,432	-3	17	6	32
Manitoba <sup>1</sup>	..	...	..	..	..
Saskatchewan	3,242	-2	18	65	29
Alberta	8,706	2	19	22	..
British Columbia	12,283	-4	16	17	31
Yukon	405	-13	17	46	32
Northwest Territories <sup>2</sup>	..	...	..	..	..
Nunavut <sup>2</sup>	..	...	..	..	..
Provincial/Territorial Total	72,789	-1	16	12	...

<sup>1</sup> Community corrections data for Prince Edward Island, Manitoba, Nunavut and Northwest Territories are unavailable for 1999/00. The calculation for provincial/territorial annual change have been adjusted accordingly.

.. figures not available.

... figures not appropriate or applicable.

Nationally, the number of conditional sentences imposed has increased since the measure was implemented. In fact, there were 15,792 conditional sentence program commencements in 1999/00, an increase of 11% from 1997/98. Provincially, the number of conditional sentences imposed over this time period has increased in Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, British Columbia and the Yukon while remaining fairly constant in Newfoundland and decreasing in New Brunswick and Manitoba.

Regarding average caseload, the average daily number of offenders in Canada supervised in the community pursuant to a conditional sentence has increased each year since the measure was introduced. In 1997/98, the first year for which complete data are available, the average number of offenders supervised on a conditional sentence was 6,818 (See Table 8). In 1998/99 the daily average increased by 12% to 7,627 and a further 18%, to 8,984 between 1998/99 and 1999/00. In fact, in 1999/00, there were two provinces – Quebec and Saskatchewan – where the average daily counts of offenders on conditional sentence actually exceeded those in sentenced custody.

When conditional sentences were introduced, there were some concerns expressed that, instead of reducing the use of incarceration, the imposition of the “more severe” conditional sentences might end up reducing the use of the less punitive disposition of probation. The possibility of conditional sentences given to those who otherwise would have been sentenced to probation is referred to as “net widening”. However, limitations of aggregate data, such as an inability to analyse individual dispositions, makes it difficult to link trends in one sentence type to trends in another.

#### Determining the appropriateness of a conditional sentence - *R. v. Proulx* [2000] 1 S.C.R. 61

Firstly: using a purposive approach, the judge should first determine if a sentence in a penitentiary (i.e. sentenced custody for more than 2 years) is appropriate. If not, is a sentence of probation appropriate?

Secondly: once these two options have been rejected the judge should then consider whether it would be appropriate for the offender to serve his or her sentence in the community. To do this the judge must first determine whether it is likely that the offender would reoffend while in the community. In making this determination the judge must consider the potential for any type of criminal activity, not just criminal activity that would be likely to cause psychological or physical harm to a victim.

Thirdly: if the judge is satisfied that there is a low likelihood of criminal activity, he/she should then consider whether a conditional sentence would meet the objectives of rehabilitation and deterrence set out in ss.718 to 718.2. While conditional sentences can provide some deterrence and denunciation of criminal behaviour, there may be some circumstances where only incarceration would be suitable to express society's condemnation of the offence or to deter similar conduct in the future.

The Court also indicated that no offences should be excluded from the conditional sentencing regime (other than those with a minimum term of imprisonment specified in the *Criminal Code*) nor should there be presumptions for or against a conditional sentence for particular offences.

Available data indicate that for conditional sentence program commencements, the most serious offence is most frequently a property offence (42%), followed by violent offence (29%), other *Criminal Code* offence (18%) and drug offences (10%).

Note that data on the most serious offence committed by offenders receiving conditional sentences are only available for Newfoundland, New Brunswick, Quebec and Ontario.



Table 8

# Custody, conditional sentences and probation admissions and average daily counts 1997/98 to 1999/00

Jurisdiction	Year	Provincial/territorial admissions			Provincial/territorial average counts		
		Conditional sentences	Sentenced custody	Probation	Conditional sentences	Sentenced custody	Probation
Newfoundland	1997/98	304	1,166	1,982	108	248	2,389
	1998/99	300	1,199	1,903	128	258	2,337
	1999/00	310	936	1,811	180	222	2,260
Prince Edward Island	1997/98	29	869	744	11	79	834
	1998/99	35	803	564	..	73	..
	1999/00	50	647	592	..	71	..
Nova Scotia	1997/98	476	1,914	3,715	..	299	4,884
	1998/99	510	1,964	3,719	..	285	5,209
	1999/00	628	1,825	3,791	..	247	4,614
New Brunswick	1997/98	596	2,278	1,858	..	319	2,687
	1998/99	507	2,273	1,740	..	274	2,599
	1999/00	499	2,179	1,429	..	244	2,416
Quebec	1997/98	3,983	26,188	7,225	2,350	2,117	11,496
	1998/99	4,202	21,735	6,877	2,444	2,102	7,296
	1999/00	4,557	18,016	7,098	2,876	2,010	7,925
Ontario	1997/98	4,293	33,971	35,930	1,971	4,631	52,352
	1998/99	3,690	32,815	34,469	2,268	4,441	52,659
	1999/00	4,271	30,747	33,432	2,488	4,003	52,013
Manitoba	1997/98	526	1,439	3,659	171	570	5,272
	1998/99	672	1,393	4,426	311	615	5,167
	1999/00	584	1,268	..	534	603	5,997
Saskatchewan	1997/98	928	3,894	3,261	580	958	3,622
	1998/99	1,083	3,850	3,305	713	955	3,760
	1999/00	1,243	3,368	3,242	877	854	3,720
Alberta	1997/98	1,343	14,467	7,794	741	1,463	7,886
	1998/99	1,035	15,491	8,544	704	1,601	7,968
	1999/00	1,120	14,728	8,706	749	1,430	8,311
British Columbia	1997/98	2,080	10,565	13,440	883	1,525	14,436
	1998/99	2,142	9,628	12,805	1,033	1,513	13,495
	1999/00	2,439	9,739	12,283	1,241	1,467	14,453
Yukon	1997/98	50	304	451	3	60	547
	1998/99	60	300	467	26	52	492
	1999/00	91	308	405	39	43	438
Northwest Territories <sup>1</sup>	1997/98	..	1,573	1,547	..	304	..
	1998/99	..	1,594	..	..	309	..
	1999/00	..	1,108	..	..	207	..
Nunavut	1997/98	...	...	...	...	...	..
	1998/99	...	...	...	...	...	..
	1999/00	..	..	..	..	36	..
Provincial/Territorial Total	1997/98	14,608	98,628	81,606	6,818	12,573	106,405
	1998/99	14,236	93,045	78,819	7,627	12,478	100,982
	1999/00	15,792	84,869	72,789	8,984	11,438	102,147

.. figures not available.

... figures not appropriate or applicable.

<sup>1</sup> Figures reported by Northwest Territories for 1999/00 no longer include figures reported by Nunavut.

However, examining data from 1993/94 to 1995/96, 60% of program commencements were generally to sentenced custody while 40% commenced supervised probation. After the introduction of conditional sentencing, the number of sentenced custody program commencements decreased to 49% while those of probation actually increased to 42%. As conditional sentences are intended to be an alternative to custody, these data would imply that net widening is not occurring at the national level.

#### Alternatives to Incarceration - The Drug Treatment Court Experiment in Toronto

Modelled on an American experiment, Toronto's Drug Treatment Court (DTC) was established as an alternative to the more traditional justice system responses to drug offences. It is a diversion program in that participants avoid custody provided they comply with certain conditions. This new strategy is based upon a belief that the traditional approach does not sufficiently address the underlying health issues. The focus of this program is therefore to alter the behaviour of the individual while in the community, where triggers to drug use and opportunities are plentiful. The development of the four-year experimental project, which began in December 1998, was a collaborative effort involving Public Health authorities, the federal Department of Justice, the National Crime Prevention Centre, representatives of the judiciary and the legal community, as well as organizations responsible for the delivery of court services and community corrections.

Canada's DTC project has modified the established American model in a number of ways. The most significant change involves replacing the requirement of absolute abstinence during participation in the program with a set of conditions to which the participant must comply. In addition to attending substance abuse treatment, participants in the Canadian program must submit to regular testing for drug use but are allowed the occasional lapse provided they remain honest with the court about their drug use. Participants must also demonstrate a pattern of reduction, culminating in being drug-free (crack/cocaine or heroin) in order to complete the program. The other significant difference is that the Canadian program allows Methadone treatment for those addicted to heroin.

The federal prosecutor may deem individuals 'eligible' for this program if they have been charged with a relatively minor drug-related offence, including small-scale trafficking. Individuals are ineligible if they have also been charged with a violent offence. Participants must volunteer to enter the program and openly acknowledge their dependence. In general, the program features two possible streams based upon the severity of the offence. The first option applies to less serious crimes whereby individuals completing the program will have their charges stayed or withdrawn. For more serious offenders, including those involved in trafficking, successful completion of the program will result in probation. Failure to abide by the conditions will result in the case being dealt with in the more traditional 'criminal' court environment.

Part of the DTC project includes in-depth analysis of the effectiveness of this program with respect to recidivism and long-term substance abuse. Although still early (18 months of results), 50% of the 168 participants have graduated or are still participating, of which 75% of these have not re-offended. Given that most participants are known to be repeat offenders with long-term drug use and significant criminal records, the initial assessment of the project is positive.

#### Deaths of offenders under supervision, 1999/00

A total of 189 offenders died under supervision in 1999/00. Almost 2 in 3 of these deaths were the result of natural causes (illness, old age) or accident; 8% of deaths under supervision were the result of murder. The death rate for adult offenders in federal custody was 4.2 per 1,000 and 2.5 per 1,000 in provincial custody.

	Federal	Provincial	Total
Murder	13	3	16
Suicide	19	26	45
Natural Causes / Accidents	98	20	118
Other *	9	1	10
Total	139	50	189

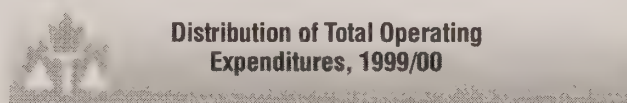
\* Other includes "unknown"

## Resources, Expenses and Personnel

### Corrections Expenditures

Total operational spending on corrections in Canada amounted to \$2.4 billion, of which 54% was spent by the Correctional Service of Canada and 46% by the provinces and territories (See Figure 7). Expressed in constant dollars, this represents an increase of 9% federally and 1% provincially over the last year and 26% federally and 6% provincially since 1995/96. Per capita federal and provincial/territorial spending on correctional institutional services amounted to \$37.66 and \$36.17 respectively (See Table 9). However, expenditures per inmate per day by contrast were \$183.66 federally and \$128.10 provincially. The difference in inmate costs is the result of a number of factors including the higher level of security required at federal facilities or the requirement to provide different and more comprehensive rehabilitative programs for offenders.

Figure 7



Total operating expenditures \$2.4 billion

Source: Adult Correctional Services Survey.



Table 9

Expenses per inmate, 1999/00<sup>1</sup>

Jurisdiction	Total Institutional Operating Expenses	% change	Total days stay	% change	Per capita cost	% change	Cost per inmate per day	% change
	current dollars (000s)	constant dollars			current dollars	constant dollars	current dollars	constant dollars
Newfoundland	17,789	2	110,157	(12)	38.91	2	147.97	15
Prince Edward Island	4,198	2	30,081	(3)	40.04	2	139.55	5
Nova Scotia	19,708	7	127,844	(7)	27.34	3	154.16	15
New Brunswick	12,395	4	143,472	20	21.28	(14)	86.39	-13
Quebec	121,534	(6)	1,143,604	(6)	22.96	(1)	106.27	-1
Ontario	389,765	5	2,693,760	(4)	40.45	0	144.69	10
Manitoba	43,333	11	402,066	3	48.74	14	107.78	8
Saskatchewan	49,389	2	418,704	(5)	56.55	4	117.96	8
Alberta	61,770	(4)	720,654	(7)	27.45	(5)	85.71	4
British Columbia	137,748	6	934,764	13	43.26	4	147.36	-6
Yukon	5,952	(6)	22,505	(16)	262.33	(5)	264.48	12
Northwest Territories <sup>2</sup>	9,971	(36)	85,775	(34)	253.20	(5)	116.25	-3
Nunavut	..	..	21,008	...	125.96	...	..	...
Provincial/territorial total	876,952	3	6,845,911	(2)	36.17	1	128.10	5
Federal CSC	869,716	3	4,735,510	-2	37.66	8	183.66	5

.. figures not available.

... figures not appropriate or applicable.

<sup>1</sup> Note that this table provides a breakdown of custodial expenses but does not include funds expended on headquarters, community supervision and parole boards.

<sup>2</sup> Figures reported by Northwest Territories for 1999/00 no longer include figures reported by Nunavut.

## Correctional Facilities

In 1999/2000, there were 212 correctional facilities across Canada. Sixty-nine, or approximately one third of these facilities fell under federal jurisdiction, of which 17 community correctional centres had a total of 526 spaces while the remaining 52 federal institutions had 13,426 spaces. Federal facilities contained 41% of the total institutional capacity in Canada. Provincial/territorial facilities had a total operational capacity of 19,547 in 143 institutions. Of these 80% were secure and the remainder open custody facilities such as halfway houses. In general, provincial/territorial capacity has remained relatively constant over the last few years. However, federal capacity has increased by 10% since 1995/96.

## Staffing and Personnel

A total of 30,290 staff worked in corrections at the provincial/territorial and federal levels in 1999/00. Of these individuals, 44% worked for the Correctional Service of Canada and 56% worked for the various provincial/territorial departments. The vast majority (79%) of both federal and provincial/territorial staff worked in custodial services. Staff in federal corrections increased by 5% overall from 1998/99 levels with the greatest increases coming in headquarters staff and community supervision, both increasing by 11%. Provincially, overall staffing levels have risen by 4% since 1998/99.

## Conclusions

The fundamental issues facing the administration of correctional services have not changed substantially in recent years. Reducing the reliance on incarceration and addressing the over-representation of Aboriginal people continue to be priorities in the area of justice administration. Legislative initiatives, such as the creation of the conditional sentence, as well as a general decrease in crime rates, have helped reduce the overall corrections population. However, while the average number of sentenced inmates has dropped, the use of custodial remand has increased. In addition, it is difficult to determine whether changes to the *Criminal Code*, designed to address the issue of Aboriginal over-representation in custody, have had a significant effect.

Further research will be required to gain insights into the causes underlying the changes in the prison population given the recent shift from sentenced custody to custodial remand. Greater detailed information, including performance indicators, will be useful in analyzing whether legislative initiatives in the areas of Aboriginal over-representation and the reduction in the use of incarceration have had their desired effects.

## Methodology and data limitations

The information presented in this *Juristat* comes from data collected on the operation of adult correctional services in Canada through two surveys: the Adult Correctional Services (ACS) Survey and the Resources, Expenditures and Personnel (REP) Survey. These surveys are conducted annually, on a fiscal year basis from April 1 to March 31.

The ACS Survey is designed to collect aggregate caseload and case characteristics information on adult offenders (18 years and over) under some form of provincial/territorial or federal correctional supervision. The data are provided by the various provincial, territorial and federal ministries, departments and agencies that administer correctional services across the country.

There are operational differences between jurisdictions in the manner of counting program commencements, as well as in their method of classifying them by offence type. As a result, inter-jurisdictional comparisons are to be made with caution.

Data relating to operating expenditures are collected on a fiscal year basis through the Resources, Expenditures and Personnel Survey.

Because data are reported in an aggregate form, there are limits on the types of analyses that can be performed. Data such as median age of offenders and median sentence length for each province cannot be combined to calculate a national median for all offenders. In addition, the ability to do any cross-tabulations is limited. This significantly restricts the complexity of analysis that is possible.

Concern over potential Y2K problems with older computer systems led many jurisdictions to replace or substantially modify their local information systems. As a result, some provinces were not able to provide complete statistics for the fiscal year 1999/00. To facilitate providing comparable national indicators, adjustments were made, where appropriate, to account for missing jurisdictional data.



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# Juristat

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Statistics Canada – Catalogue no. 85-002-XPE Vol. 21 no. 6

## CHILDREN WITNESSING FAMILY VIOLENCE

by Mia Dauvergne and Holly Johnson\*

### Highlights

- According to the 1999 General Social Survey on Victimization, children heard or saw one parent assaulting the other in an estimated 461,000 households, which represents 37% of all households with spousal violence in the five-year period preceding the survey.
- In cases where children witnessed spousal violence, they were more likely to witness assaults against their mothers (70%) than against their fathers (30%), and assaults involving mothers tended to be more serious. Over half of the female victims in these cases feared for their lives.
- Adult victims of spousal violence were more likely to seek help from the police or from social services when children witnessed the violence than when no children were present.
- During the one-year period ending March 31, 2000, an estimated 57,200 women together with 39,200 children were admitted to 448 shelters across Canada, the majority fleeing violence at home. Three-quarters of these children were under 10 years of age.
- According to the National Longitudinal Survey of Children and Youth, children who were exposed to adults or teenagers physically fighting in the home were less likely to have positive or effective interactions with their parents than other children. They were also more likely to be living in households with low family functioning and high parental depression.
- Witnessing family violence is also linked to negative behaviour in children. Children who are exposed to adults or teenagers physically fighting in the home were more likely to exhibit physical aggression, indirect aggression, emotional disorders, hyperactivity, and to commit delinquent acts against property.
- Although family violence crosses all socio-demographic groups, there are some circumstances where violence occurs at higher rates. Households with older children, somewhat older parents, parental unemployment, low income, blended, step or single parent families, or a recent change in family structure had higher than average percentages of children exposed to adults or teenagers physically fighting in the home.

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## Introduction

Over the past three decades, spousal violence has gained widespread public attention. Yet, attention has generally focused on the impact of violence on victims and less so on the effects on children who witness the violence. Until recently, child witnesses have remained the “silent”, “forgotten” or “unintended” victims of family violence. Evidence suggests that witnessing violence can have serious negative impacts on the development of children. Legislation in Saskatchewan and the Atlantic provinces consider children exposed to situations of domestic violence to be in need of protective services, which range from support for the family to removal of the child from the home.

The reactions of children who witness violence by one parent against another may include emotional, social, cognitive, physical and behavioural maladjustment problems (Jaffe, Wolfe & Wilson, 1990). These children tend to show lower levels of social competence, higher rates of depression, worry and frustration, and are more likely than other children to develop stress-related disorders and to show lower levels of empathy (Fantuzzo, et al., 1991; Graham-Bermann & Levendosky, 1998; Moore & Pepler, 1998; Edleson, 1999).

Some findings suggest that certain characteristics of children, such as sex and age, affect how children respond when exposed to violence. Boys more commonly express external reactions, such as hostility and aggression, whereas girls tend to show more internalized behaviours such as depression, fear and physical ailments (Carlson, 1991; Kerig, 1999). Younger children are more likely to express complaints of physical ailments, anxiety and aggressive behaviour, and to regress to earlier stages of developmental functioning. Older children are more likely to use aggression as a means of problem solving, accept excuses for violent behaviour, project blame onto others, and display symptoms of anxiety (Alessi & Hern, 1984). Other factors, such as social or economic disadvantage, repeated moves, or parental separation also influence how children respond to spousal violence (Jaffe, Wolfe & Wilson, 1990).

Using data from the 1999 General Social Survey on Victimization (GSS), the 1993 Violence Against Women Survey (VAWS), and the National Longitudinal Survey of Children and Youth (NLSCY), this *Juristat* presents estimates of the number of children

### Data sources

The General Social Survey (1999) is a random sample telephone survey of almost 26,000 male and female respondents age 15 years and older. The focus of this survey was criminal victimization, including spousal violence. The prevalence of violence witnessed by children was obtained by asking victims of spousal violence “did any of your children ever see or hear (any of these) this incident(s)”.

The Violence Against Women Survey (1993) is a random telephone survey based upon a sample of 12,300 women over the age of 18 years. The VAWS provides detailed national data on all forms of sexual and non-sexual violence perpetrated against women in Canada since age 16. Women who had reported spousal violence were asked “did any of your children ever witness (any of) the incidents”.

The National Longitudinal Survey of Children and Youth is a long-term national survey that collects information on the characteristics and life experiences of the same children and youth in Canada as they grow from infancy to adulthood. The survey began in 1994-95 with a sample of approximately 22,000 children aged from infancy to 11. Data are collected from the children, their parents, teachers and school principals.<sup>1</sup> This sample of children and their parents will be interviewed every two years until the oldest respondents reach approximately 25 years of age. A sample of infants is added each year. Data for this *Juristat* was drawn from the third cycle (1998-99) and focuses on children aged 4 to 11 years representing 3,122,000 Canadian children in this age group. The extent of violence witnessed by children in the home was determined by asking the person most knowledgeable about the child (usually the mother) to indicate how often the child sees “adults or teenagers in the home physically fighting, hitting or otherwise trying to hurt others”. Because of small sample counts, a distinction cannot be made among children who witness frequent or severe violence and those who witness less frequent or less severe episodes. Of those who reported that their child had seen physical aggression, 31% did not have a teenager living in the home; therefore, a portion of these will reflect incidents where children witnessed assaults on a parent.

<sup>1</sup> At age 10 children begin to respond to some questions on their own.



in Canada who have witnessed violence in their homes in recent years, and compares the characteristics of these children and their families to children who have not witnessed violence. This analysis also examines links between witnessing violence and negative behaviour among children.

## The extent of the problem

Estimates of the extent of family violence witnessed by children in Canada are available through three national surveys conducted by Statistics Canada: the 1999 General Social Survey on Victimization, the 1993 Violence Against Women Survey, and the National Longitudinal Survey of Children and Youth. The GSS and the VAWS are victimization surveys that ask a random sample of adults (men and women in the case of the GSS and women only in the case of the VAWS) about their experiences of spousal violence and whether their children witnessed the violence. In the NLSCY, a random sample of children are selected and the person most knowledgeable about the child responds to a wide range of questions about the child and the household, including whether the child sees adults or teenagers in the home physically fighting, hitting or otherwise trying to hurt others. (see Boxes: *Data sources and Estimates of violence: limitations*)

### Estimates of children witnessing violence: limitations

As each of these data sources were designed for purposes other than estimating the number of children who witness violence in their families, and the questions were constructed somewhat differently, results are not directly comparable between sources. In addition, several issues make it likely that the estimates obtained from VAWS, the GSS and the NLSCY underestimate the true extent of violence witnessed by children.

First, responses to the survey questions are provided by parents who may falsely assume that their children are not aware of the violence and may fail to report that their children were witnesses. Jaffe, Wolfe and Wilson (1990) found that many parents falsely believed that their children were sleeping or playing during a violent episode and therefore unaware of the event. However, these same children were able to provide detailed accounts of the very events that they supposedly did not witness.

Second, parents may intentionally minimise, deny or discount the extent of violence witnessed by children because of embarrassment or fear of the consequences. O'Brien, John, Margolin and Erel (1994) reported that 10% of the children in a community-based sample reported witnessing inter-parental violence when neither parent had acknowledged that any aggression had occurred.

Third, witnessing family violence refers to the multiple ways in which a child is exposed to domestic violence. These may include directly seeing the violence, hearing it, being used as a tool of the perpetrator, and/or experiencing the aftermath of violence (e.g. a mother who is injured and in need of help, police intervention to remove the perpetrator, moving to a shelter). Although the GSS asks whether the child ever saw or heard a violent incident, the NLSCY and VAWS only attempt to measure the amount of violence that a child sees directly. All three surveys fail to account for the more covert ways in which children may be exposed to violence.

Fourth, the survey questions only ascertain whether children are witnesses to physical assaults and do not measure the extent of children's awareness of emotional abuse (such as verbal insults) which can also be damaging to children's development.

The 1993 Violence Against Women Survey found that 39% of women who had experienced spousal assaults during their lifetime reported that their children had witnessed the violence against them. In many cases the violence these children witnessed was serious. In about half the violent relationships witnessed by children (52%) the women feared their lives were in danger at some point in the relationship and in 61% of the cases the women were physically injured in at least one of the assaults.<sup>2</sup>

More recent findings from the 1999 General Social Survey show that children heard or saw assaults on a parent in an estimated 461,000 households with spousal violence in the five-year period preceding the survey. This represents 37% of all households with spousal violence.<sup>3</sup>

According to the 1999 GSS, in 70% of spousal violence cases with child witnesses the violence was directed at their mothers, and in 30% of cases fathers were the victims (Table 1). In addition, the violence children witnessed against their mothers was more serious. In half of all cases of wife assault witnessed by children the women feared for their lives or were physically injured. In 21% of cases, female victims suffered injuries requiring medical attention and in 14% they were hospitalized. Four-in-ten suffered repercussions serious enough to require them to take time off their daily activities to cope with the violence. The consequences of spousal violence for male victims were less severe though one-in-five male victims were physically injured or took time off daily activities and one-in-eight feared for their lives (Table 2). Figure 1 shows these data for women and men combined.

A third source of information about the exposure of children to violence in the family is the National Longitudinal Survey of Children and Youth. Parent respondents to the 1998-99 cycle of the NLSCY were asked how often their children, age 4 to 11 years, see adults or teenagers in the home physically fighting, hitting or otherwise trying to hurt others.<sup>4</sup> This is a less precise indicator and could include siblings or parents or other adults (however, in 31% of cases, there were no teenagers in the home). According to this definition, 8% of children in this age group (approximately 247,000) had witnessed violence in their homes. This is similar to the 9% reported in the first cycle and 8% in the second cycle of the NLSCY, but lower than estimates produced by the GSS which asked about violence witnessed over the course of a five-year period for an unspecified age group of children.

<sup>2</sup> Children heard or saw at least one violent event in that household which may not have been the event that resulted in injury or caused the woman to fear for her life.

<sup>3</sup> Comparisons can be made between the 1993 VAWS and the 1999 GSS in the number of children witnessing assaults on their mothers in the five-year periods preceding each survey. In 1999, 47% of wife assault cases had child witnesses, an increase from 40% in 1993. (This analysis does not take into account a possible change in the number of households that have children.) But since the five-year rate of wife assault declined between 1993 and 1999 (from 12% to 8% of women who were married or in a common-law relationship) the actual number of households where children witnessed violence against their mothers also declined from an estimated 483,000 to 321,000.

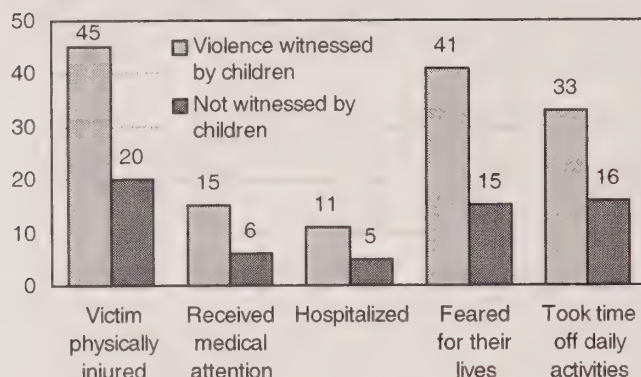
<sup>4</sup> Usually, only one parent (the person most knowledgeable about the child or the PMK) from each household was surveyed. In 88.8% of all cases the PMK was the biological mother and in another 8.7% of cases the PMK was the biological father.



Figure 1

### Spousal violence cases witnessed by children tend to be more serious

% of spousal violence cases



Source: Statistics Canada, General Social Survey, 1999.

### Children victimized during spousal assaults

Victims of spousal violence identified by the GSS were asked whether anyone else was harmed or threatened during the incident and how many were under 15 years of age. In 10% of spousal assaults against women and in 4% against men a child under 15 was harmed or threatened. This numbers 90,000 cases of spousal violence: 70,000 involving women and 20,000 involving men.<sup>5</sup>

### A profile of families where children witnessed violence

Family violence crosses all socio-demographic groups. However, there are some circumstances where children witness adults or teenagers physically fighting at higher than average rates (see Table 3). The NLSCY data show that the percentage of children who witnessed physical fighting was slightly higher for older children (8 to 11 years of age) and for those with somewhat older parents (35 to 44 years). Rates of children witnessing violence are linked to socio-economic status of households. Percentages of children who witnessed physical fighting among teenagers or adults were highest when both parents were unemployed (12.8%), or in the case of single parents, when the parent was unemployed (14.2%), as well as in households that fell below the low-income cut-off level (11.4%).<sup>6</sup> Higher percentages of children witnessed violence if they were living in blended, step or single parent homes<sup>7</sup> as compared to biological or adoptive two-parents families, and if their family structure had undergone change over the previous two-year period, either from two parents to one (13.6%), or from one parent to two (14.4%).<sup>8</sup>

According to the 1999 GSS, in cases with child witnesses, perpetrators of spousal violence were also more likely to have been drinking alcohol at the time of the assaults. Male perpetrators were drinking in 52% of incidents of spousal violence that were witnessed by children compared to 30% of incidents

with no child witnesses. This might help explain why wife assaults that are witnessed by children are generally more serious in nature as alcohol has been a predictor of more serious and repeated violence (Johnson 1996; Leonard, 1999). However, these results do not pertain to female perpetrators of spousal violence. Female perpetrators had higher rates of alcohol use at the time of the assaults on their husbands, regardless of whether children witnessed the violence or not (women had been drinking in 68% of cases with child witnesses and 78% of cases with no child witnesses), but they were less likely than male perpetrators to cause injury to their victims.

The NLSCY also indicates that problem drinking within the family is associated with children witnessing physical fighting among teenagers or adults (see Box Links to parental alcohol consumption).

#### Links to parental alcohol consumption

Findings from the 1993 Violence Against Women Survey and the 1999 General Social Survey identified alcohol consumption as a risk factor for spousal assault. Both surveys found that women and men who were married to or living with heavy drinkers were more likely to be assaulted by their partners than those who were not married to heavy drinkers (Pottie Bunge & Locke, 2000). NLSCY households with children who witnessed physical fighting among teenagers or adults were approximately twice as likely as other households to report that drinking was a source of tension in the family.

	% of children who did not witness physical fights		% of children who witnessed physical fights	
	No. (000)	%	No. (000)	%
<b>Drinking is a source of tension</b>				
Yes	132	5.0	22	9.0 <sup>1</sup>
No	2,482	95.0	220	91.0

\*\*\* Chi-square = < .001; df = 1

<sup>1</sup> Coefficient of variation is high (16.6% to 33.3%).

Percentages may not total 100 due to rounding.

Excludes missing values.

Source: National Longitudinal Survey of Children and Youth, Statistics Canada.

- <sup>5</sup> This may be an underestimate of the number of children harmed or threatened during spousal violence incidents for the reasons listed in Box Estimates of children witnessing violence: limitations.
- <sup>6</sup> Statistics Canada's Low Income Cut-offs are derived by considering expenditure-to-income patterns. Families or individuals are classified as "low income" if they spend, on average, at least 20 percentage points more of their pre-tax income than the Canadian average on food, shelter, and clothing. Family size and the size of the urban or rural area where the family resides are also taken into consideration.
- <sup>7</sup> A biological or adoptive two-parent family refers to a family (married or common-law couples) where all children are the natural and/or adopted offspring of both members of the couple. A step family refers to a family (married or common-law couples) in which at least one of the children is in a step relationship with at least one of the parents. A blended family refers to a family (married or common-law couples) with two or more children, one of whom does not share the same natural and/or adoptive parents as the other child(ren). This would indicate that the child has half and/or step siblings living in the household. The blended family is a sub-set of the step family.
- <sup>8</sup> In the case of single parents, violence could involve ex-partners, dating partners of the parent, and/or sibling violence.

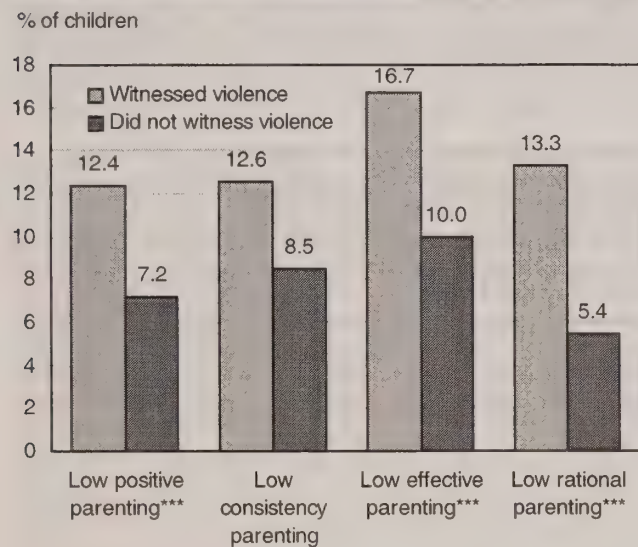
## Witnessing Violence and Family Dynamics

### Parenting Style

Parenting style is also linked to children's exposure to violence in the home. Although difficult to measure and quantify, the NLSCY attempted to capture the diversity of parent-child interactions using four different scales: positive interactions, consistency, effective parenting, and rational parenting. Parents (usually mothers; see footnote 4) were asked a series of questions pertaining to each type of parenting which were then combined to form global scores on each scale. Figure 2 shows that children who witnessed physical fighting between adults and teenagers in their homes were more likely to have lower levels of positive, effective or rational interactions with their parents than did children from non-violent homes.

Figure 2

**Parenting styles in homes where children witnessed and did not witness violence, 1998-99**



\*\*\* Chi-square = < .001; df = 1

Those who fell within the bottom 10% of the scales were considered to have "poor" parent-child interactions.

Source: Statistics Canada, National Longitudinal Survey of Children and Youth, 1998-1999.

### Family functioning and parental depression

Whereas the parenting scales assess interactions between parents and their children, the family functioning scale assesses the health of relationships among all family members. The quality of family relationships is particularly important for the long-term healthy development of children (Ross, Scott & Kelly, 1996). Parents were asked how well the family worked together on six activities: problem solving, communication, roles, emotional responsiveness, emotional involvement and behaviour

### Parenting scales

The interactions between children and parents were assessed using four parenting scales: the positive parenting scale, the consistency parenting scale, the ineffective parenting scale and the rational parenting scale. Each scale is comprised of individual questions that were answered by the child's parent. Answers were then coded into numerical responses which were added together to form a global score on each scale. Those who fell within the bottom 10% (or closest thereof) were considered to have "poorer" parent-child interactions.

Five questions comprised the *positive parenting* scale including: "how often do you talk or play with your child"; "how often do you praise your child"; and "how often do you and your child laugh together".

*Consistency* was measured by asking parents a different set of five questions, such as "if you give your child a command do you make sure he or she follows it"; "when you discipline your child does he or she ignore it"; and "how often do you follow through and punish your child after telling him or her to stop doing something".

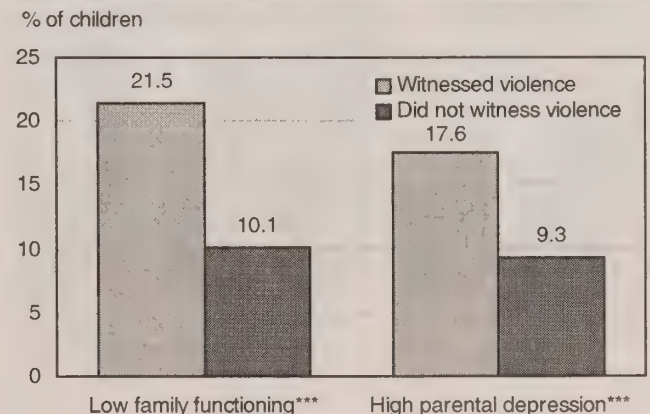
When combined, the scores from seven questions composed the *ineffective parenting* scale. Specific questions included: "how often do you get annoyed with your child for saying or doing something he/she is not supposed to"; "of all the times that you talk to your child about his/her behaviour, what proportion is praise"; and "how often do you feel you are having problems managing him/her in general".

Finally, the *rational parenting* scale indicates the extent of punitive interactions between parents and their children. Parents were asked to report the frequency with which they "raise their voice, scold or yell"; "calmly discuss the problem"; "use physical punishment"; and "describe alternative ways of behaving that are acceptable" when their child breaks the rules or does things that he/she is not supposed to do.

control. Figure 3 shows that children who witnessed physical fighting among adults and teenagers were twice as likely to be living in low family functioning households (defined as those who fall within the bottom 10%).

Figure 3

**Family functioning and parental depression in homes where children witnessed and did not witness violence, 1998-99**



\*\*\* Chi-square = < .001; df = 1

Source: National Longitudinal Survey of Children and Youth, Statistics Canada.



Another important component of family dynamics is the mental health status of parents. Depressed parents are usually withdrawn, tired, despondent and pessimistic about the future, behaviours that are likely to have a negative impact on their children (Ross, Scott & Kelly, 1996). To assess the extent of parental depression, parents<sup>9</sup> were asked a series of questions about their state of mind during the week preceding the survey. Answers were combined to arrive at a score on the depression scale. Those falling in the bottom 10% were defined as having higher depressive tendencies.<sup>10</sup> Figure 3 indicates that the parents of children who had witnessed family violence in their homes report significantly higher rates of depressive symptoms.

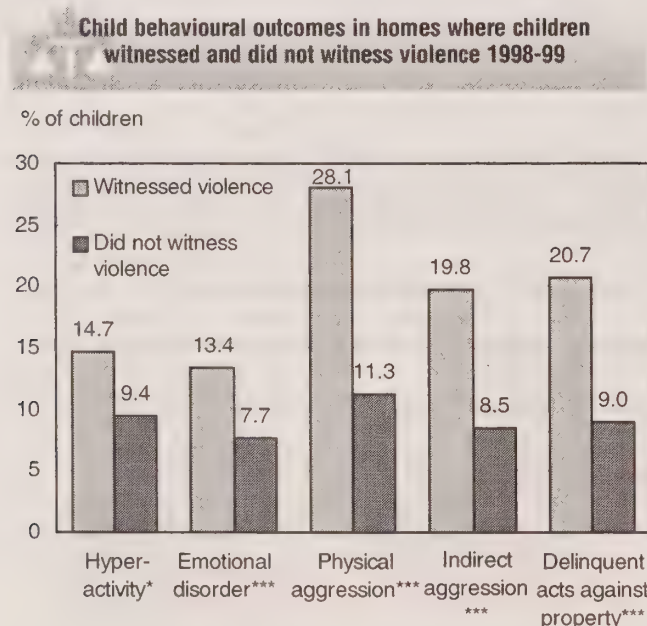
## Witnessing Violence and Child Behaviour

A negative relationship was also found between witnessing physical fighting and children's behaviour.<sup>11</sup> Parent respondents to the NLSCY were asked to assess their children on the following five behaviours: hyperactivity (characterised by inattention, impulsivity and motor activity); emotional/anxiety disorders (characterised by feelings of anxiety, fear and/or depression); physical aggression (fighting, bullying or threatening); indirect aggression (non-physical forms of aggression such as rallying friends against someone, spreading gossip, excluding someone from a group, or setting up another child for punishment); and delinquent acts against property (destroying property, vandalising, or stealing). Similar to other NLSCY scales, parents were asked a series of questions pertaining to each scale and responses were combined to form a global

score for each type of behaviour. Those who scored within the bottom 10% were considered to have a behavioural problem. Figure 4 shows that children who witnessed violence in their homes were significantly more likely to exhibit difficulties across all five behavioural measures. In particular, they were more than twice as likely to be physically aggressive, to commit delinquent acts against property, and to display indirect aggression.

These two-dimensional views of the relationship between witnessing family violence and subsequent behaviour fail to take into account the possible influence of other factors. A child's behaviour is influenced not only by whether or not he/she is exposed to violence in the home, but other child, parent and familial characteristics such as age, gender, parental educational attainment, family structure and/or household income also come into play. Table 4 shows the results of multivariate analysis where the effects of other influences are controlled (see Box *Multivariate analysis: Logistic regression models*). Children who witnessed physical fighting had heightened odds of displaying behaviours associated with hyperactivity, emotional disorder, physical aggression, indirect aggression and delinquent acts against property, even when the effects of these other factors were controlled. The complexity of the relationship between behavioural outcomes, witnessing violence and other factors is illustrated by the fact that most other factors, and in particular, parenting style, remain important predictors.

Figure 4



### Multivariate analysis: Logistic regression models

A logistic regression model was used to isolate the effect of witnessing violence by adults or teenagers on five child behavioural outcomes. Each of the factors, or independent variables, were fitted into a logistic regression model to determine the unique effects of each variable, after the effects of the others were held constant.

A partial odds ratio is a statistic generated by logistic regression that can be used to assess whether, other things being equal, children or families with specific characteristics (say children witnessing adults or teenagers fighting in the home) are more or less likely than other children (the reference category) to exhibit certain behaviours. An odds ratio near 1.0 implies there is no difference between the two groups; a result of less than 1.0 means that children who witness violence are less likely to exhibit these behaviours; a result of greater than 1.0 implies that this group of children is more likely to exhibit these behaviours.

<sup>9</sup> Survey methodology permitted only one parent (the PMK) to be asked the questions assessing depression. Consequently, in the case of two-parent families, whether the other parent had depressive symptoms that could equally affect the child is unknown.

<sup>10</sup> It is important to note that the parental depression scale measures only symptoms of depression and is not necessarily an indication of clinical depression.

<sup>11</sup> The NLSCY does not differentiate between those children who witnessed family violence but were not directly victimized and those who were witnesses and victims of violence in the family. Many child witnesses were also victims which may account, at least in part, for their negative behaviour. Failing to separate abused from non-abused witnesses makes it difficult to determine what exactly is associated with children's subsequent behaviour (Hughes, Parkinson & Vargo, 1989). However, questions concerning violence directed at children were not included on the NLSCY and so cannot be explored in this analysis. Witnessing other forms of violence can also lead to certain outcomes but this was not addressed in this study.

Chi-square = < .001; df = 1  
 \*\*\* Chi-square = < .001; df = 1  
 Those who fell within the bottom 10% of the scales were considered to have behavioural problems.

Source: Statistics Canada, National Longitudinal Survey of Children and Youth, 1998-1999.



## The generational cycle of violence

According to social learning theory, children learn to be aggressive by observing and imitating the behaviour of influential people in their lives (Bandura, 1977; Mihalic & Elliott, 1997). Violence may become the way in which problems are solved if there is a lack of negative consequences, the results are seen as positive, and there are few opportunities for learning other means of conflict resolution. When parents use violence to deal with problems or resolve conflicts, children may learn to use aggression as an appropriate tool for interpersonal relations.

There is evidence to support the belief that children who witness family violence are more likely to perpetrate assaults towards their partners in adulthood. In a study conducted by Blanchette, et al. (1998) of a sample of federal inmates enrolled in a family violence program who had a history of family violence, more than half (56%) reported that they had witnessed some form of violence as children. The 1993 VAWS found that men who witnessed their mothers being physically abused by their fathers were three times as likely to be violent toward their own wives than men who grew up in non-violent homes. They were also significantly more likely to inflict more serious and repeated assaults on their wives. Women who observed assaults against their mothers also suffered higher rates of violent victimization by their own husbands in adulthood suggesting that they also may have acquired certain beliefs about the appropriateness of spousal violence to resolve conflicts.

Despite the link between witnessing spousal violence in childhood and using violent tactics later in life, there was not a simple cause and effect relationship between early exposure to violence and replication of the same behaviour. While the rate of wife abuse was higher for men who witnessed violence by their own fathers, the majority of violent men were not exposed to violence in childhood. And, over half the men who were exposed to violence were not violent toward their own wives. Situations and experiences other than a violent home life can and do intervene to encourage or discourage the use of violence in marital relationships.

## Getting help

The presence of children in the household during incidents of spousal violence complicates the situation for victims who must consider both their own safety and the safety and wellbeing of their children. According to the 1999 GSS, the presence of child witnesses to the violence elevated the tendency for spousal violence victims to seek help from criminal justice and social service agencies. Overall, spousal violence cases witnessed by children were more than twice as likely as others to be reported to the police (45% compared to 18%), a situation that may be linked to the relatively more serious nature of these events. This was the case whether the violence was reported by victims themselves or by someone else; in both cases the presence of child witnesses was linked to higher reporting rates (Table 5). This was true for female victims of spousal violence, whereas a definitive statement cannot be made for male victims due to low sample counts.

The presence of children in the household who witnessed the violence was also linked to a greater likelihood that social

services would be contacted for help. In about half (53%) of cases where children witnessed spousal violence, the victims contacted social services.<sup>12</sup> In cases without child witnesses, roughly one-quarter had involvement with social services. This pattern holds true for both male and female victims of spousal violence, although women were more likely to call on both the police and social services for assistance. The results of the NLSCY also show that children who witnessed adults or teenagers fighting in the home were more likely to have had contact with mental health specialists (see Box *Contact with mental health specialists*).

### Contact with mental health specialists

Research suggests that symptoms associated with behavioural, physical, emotional and cognitive problems tend to be more prevalent among children exposed to family violence. Parents in the NLSCY were asked to indicate the number of times they had seen or talked on the telephone with a mental health specialist<sup>a</sup> about their child's physical, emotional or mental health. The proportion of children whose parents had contacted a mental health specialist was significantly higher among children who witnessed violence in their homes.

	% of children who did not witness physical fights		% of children who witnessed physical fights	
	No. (000)	%	No. (000)	%
<b>Contact with mental health specialists</b>				
None	2,363	88.5	199	80.4
At least one	31	11.5	48	19.6

\*\*\* Chi-square = < .001; df = 1

<sup>a</sup> A mental health specialist refers to a psychiatrist, psychologist, child welfare or children's aid worker, or other professional trained to provide treatment or counsel (such as social worker or speech therapist).

Percentages may not total 100 due to rounding.

Excludes missing values.

**Source:** National Longitudinal Survey of Children and Youth, Statistics Canada.

## Children in Shelters

Emergency shelters are widely available across Canada to provide housing and support services to victims of spousal violence, primarily abused women and their children. In April, 2000, there were 508 shelters providing residential services to abused women in Canada. During the one-year period ending March 31, 2000, a total of 57,182 women together with 39,177 children were admitted to 448 shelters (Locke & Code, 2001).<sup>13</sup> On a one-day snapshot of shelter residents on April 17, 2000, there were 2,281 women and 2,310 children fleeing abuse. The majority of children accompanying their mothers to shelters were very young: 41% were under 5 years of age and 32% were 5-9 years of age.

<sup>12</sup> Social services include crisis centres and crisis lines, counsellors and psychologists, family centres, shelters, men's and women's support groups, and police-based or court-based victim service units.

<sup>13</sup> Of the 508 shelters surveyed, 464 responded to the survey. However, not all shelters were able to reply to all questions.



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Table 1

### Estimated number of spousal violence cases and the proportion witnessed by children

	Total		Violence against women		Violence against men	
	No. (000s)	%	No. (000s)	%	No. (000s)	%
<b>Total violence by a spouse</b>	<b>1,239</b>	<b>100</b>	<b>690</b>	<b>56</b>	<b>549</b>	<b>44</b>
Children witnessed violence	461	37	321	70	140	30
Children did not witness violence/no children at the time	738	60	354	48	384	52
Not stated/Don't know	40	3 <sup>†</sup>	14	35 <sup>†</sup>	26	65 <sup>†</sup>

<sup>†</sup> Coefficient of variation is high (16.6% and 33.3%).

Figures may not add to totals due to rounding.

Source: Statistics Canada, General Social Survey, 1999.

Table 2

### Severity of spousal violence cases where children witnessed the violence

	Total		Violence against women		Violence against men	
	Children witnessed violence	Children did not witness violence <sup>1</sup>	Children witnessed violence	Children did not witness violence <sup>1</sup>	Children witnessed violence	Children did not witness violence <sup>1</sup>
	No. (000s)					
<b>Total</b>	<b>461</b>	<b>738</b>	<b>321</b>	<b>354</b>	<b>140</b>	<b>384</b>
	Percent					
<b>Adult victim was physically injured</b>						
Yes	45	20	53	30	24 <sup>†</sup>	--
No	55	80	46	70	75	90
<b>Adult victim received medical attention for injuries</b>						
Yes	15	6	21 <sup>†</sup>	11	--	-
No	85	94	79	89	96	98
<b>Adult victim was hospitalized for injuries</b>						
Yes	11 <sup>†</sup>	5	14 <sup>†</sup>	8	--	--
No	89	95	86	92	97	98
<b>Adult victim feared for their lives</b>						
Yes	41	15	53	25	12 <sup>†</sup>	--
No	59	85	46	75	88	94
<b>Adult victim took time off daily activities due to violence</b>						
Yes	33	16	39	27	20 <sup>†</sup>	--
No	66	83	60	73	80	93

-- amount too small to be expressed

<sup>†</sup> Coefficient of variation is high (16.6% and 33.3%).

Figures may not add to totals due to rounding.

<sup>1</sup> Combines "children did not witness violence" and "no children at the time".

Source: Statistics Canada, General Social Survey, 1999.



Table 3

**Percentage of children 4 to 11 years who witnessed physical fighting among teenagers or adults in their homes  
by selected socio-demographic characteristics, 1998-1999**

Socio-demographic characteristics	Children who witnessed physical fighting	
	No. (000s)	%
<b>Total</b>	<b>247</b>	<b>8.5</b>
<b>Sex</b>		
Males	125	8.3
Females	122	8.6
<i>ns</i>		
<b>Age</b>		
4-7	117	8.1
8-11	130	8.8
$p < .001$		
<b>Age of parent</b>		
15-24	--	--
25-34	78	7.5
35-44	149	9.3
45+	14	6.2 <sup>†</sup>
$p < .001$		
<b>Parent's highest level of education</b>		
Less than high school	36	10.5
High school graduate	39	7.5
Some post-secondary	84	10.3
Post-secondary graduate	88	7.2
$p < .001$		
<b>Parents' employment patterns</b>		
Both parents unemployed or worked less than half the year	13	12.8 <sup>†</sup>
One parent worked full year, the other worked part year or was unemployed	66	8.4
Both parents worked full year or most of the year	116	7.6
Parent employed – no spouse	21	7.7 <sup>†</sup>
Parent unemployed – no spouse	26	14.2 <sup>†</sup>
$p < .001$		
<b>Level of income adequacy</b>		
Below LICO	59	11.4
Above LICO	173	7.4
$p < .001$		
<b>Family structure</b>		
Two-parent family	162	7.4
Step or blended family	38	14.7 <sup>†</sup>
Single parent family	47	10.3
$p < .001$		
<b>Change in family structure</b>		
No change – two parents	168	7.6
No change – one parent	23	8.4
From two parents to one parent	17	13.6
From one parent to two parents	12	14.4 <sup>†</sup>
$p < .001$		

-- amount too small to be expressed

*ns* not significant

<sup>†</sup> Coefficient of variation is high (16.6% and 33.3%).

Figures may not add to totals due to rounding and due to missing values.

Statistics Canada's Low Income Cut-offs are derived by considering expenditure-to-income patterns. Families or individuals are classified as "low income" if they spend, on average, at least 20 percentage points more of their pre-tax income than the Canadian average on food, shelter, and clothing. Family size and the size of the urban or rural area where the family resides are also taken into consideration.

**Source:** Statistics Canada, National Longitudinal Survey of Children and Youth, 1998-1999.

Table 4

**Logistic regression analysis of the effects of witnessing violence, child characteristics and parent/ household characteristics on the behaviour of children (4 to 11 years): Partial odds ratios and levels of significance**

Variable	Hyperactivity	Emotional disorder	Physical aggression	Indirect aggression	Delinquent acts against property
<b>Witnessing violence</b>					
Children witnessed violence	1.325**	1.241*	2.968***	2.489***	2.334***
Children did not witness violence <sup>a</sup>					
<b>Child characteristics</b>					
Gender of child					
Male	1.898***	1.226*	2.001***	.474***	1.44***
Female <sup>a</sup>					
<b>Age group of child</b>					
4 to 7 years <sup>a</sup>					
8 to 11 years	1.133	1.653***	0.652***	1.948***	.546***
<b>Parent / household characteristics</b>					
<b>Age category of Parent</b>					
15 to 24	1.641	.391*	2.209***	0.912	3.364***
25 to 34	2.274***	1.257	2.365***	2.876***	3.659***
35 to 44	1.557**	1.024	2.141***	2.522***	3.10***
45 and over <sup>a</sup>					
<b>Parent's highest level of education</b>					
Less than high school	1.379***	.764*	1.003	1.401***	1.446***
High school graduate	0.906	.721***	0.881	1.019	1.411***
Some post-secondary	1.189*	0.989	1.183*	1.088	1.384***
Post-secondary graduate <sup>a</sup>					
<b>Parenting style</b>					
Ineffective parenting style	5.887***	4.533***	4.945***	3.906***	5.853***
Effective parenting style <sup>a</sup>					
<b>Family functioning</b>					
Low family functioning	1.729***	1.702***	1.251**	1.126	1.126
High family functioning <sup>a</sup>					
<b>Parental depression</b>					
High parental depression	1.245*	2.571***	1.297**	1.107	1.552***
Low parental depression <sup>a</sup>					
<b>Family structure</b>					
Intact family <sup>a</sup>					
Step or blended family	1.659***	1.516***	0.854	.649***	0.992
Single parent family	1.771***	2.028***	1.379***	1.526***	1.068
<b>Level of income adequacy</b>					
Below LICO	0.939	0.986	0.958	1.355***	1.153*
Above LICO <sup>a</sup>					
-2 log likelihood	7639.36	6777.86	9251.035	7384.525	7803.896
Model chi-square	1125.404***	972.192***	1235.64***	814.659***	1124.877***
Df	15	15	15	15	15

<sup>a</sup> reference category

\* Chi square = < .05

\*\* Chi square = < .01

\*\*\* Chi square = < .001

Source: National Longitudinal Survey of Children and Youth, Statistics Canada.



Table 5

**Estimated number of spousal violence cases where children witnessed violence  
by use of criminal justice and social services**

	Total		Violence against women		Violence against men	
	Children witnessed violence	Children did not witness violence <sup>†</sup>	Children witnessed violence	Children did not witness violence <sup>†</sup>	Children witnessed violence	Children did not witness violence <sup>†</sup>
	No. (000s)					
<b>Total</b>	<b>461</b>	<b>738</b>	<b>321</b>	<b>354</b>	<b>140</b>	<b>384</b>
	Percent					
<b>Percentage distribution of spousal violence cases reported to the police</b>						
Violence reported to police	45	18	51	27	30 <sup>†</sup>	10
Reported by victim	32	13	39	21	15 <sup>†</sup>	--
Reported by someone else	13 <sup>†</sup>	5	12 <sup>†</sup>	6	4 <sup>†</sup>	4
Violence not reported to police	55	82	49	73	70	90
Not stated/Don't know	--	--	--	--	--	--
<b>Percentage distribution of adult victims who contacted social services</b>						
Yes	53	24	62	38	33	11
No	46	75	38	60	66	88
Not stated/Don't know	--	--	--	--	--	--

-- amount too small to be expressed

<sup>†</sup> Coefficient of variation is high (16.6% and 33.3%).

Percentage may not total 100% due to rounding.

<sup>†</sup> Combines "children did not witness violence" and "no children at the time".

Source: Statistics Canada, General Social Survey, 1999.

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## SPOUSAL VIOLENCE AFTER MARITAL SEPARATION

by Tina Hotton\*

### Highlights

- According to the 1999 General Social Survey on Victimization, 28% of women and 22% of men who had been in contact with a previous spouse in the five years prior to the survey had experienced some type of violence by that partner, either while living together or after separation.
- Marital separation does not necessarily mark the end of a violent relationship. Forty percent of women and 32% of men with a former violent marriage or common-law relationship reported that violence occurred after the couple separated.
- Most of those who reported violence after separation stated that the assaults became more severe or began after separation. In 37% of cases the assaults did not increase in severity, in 24% the violence became more serious, and in 39% of cases the violence first began after the separation.
- Both women and men were more likely to have contact with the police when violence occurred after separation as compared with other cases of spousal violence, but men were only about half as likely as women to report these incidents to the police (55% of women compared with 30% of men).
- Children are frequently the unintended observers of violence between spouses. Among those cases where violence occurred after separation, children were witnesses to at least one violent occurrence in 50% of cases.
- Women made up 77% of criminal harassment victims reported to police in 1999. Current or former husbands and boyfriends were offenders in about half of these incidents.
- Women have a heightened risk of homicide after marital separation. Between 1991 and 1999, separated women were killed by estranged partners at a rate of 39 per million couples. In comparison, an average of 26 women per million couples were killed by current common-law partners, and 5 women per million couples were killed by current husbands. Risk of spousal homicide was lower on average for men, and men were at greater risk of homicide by a current common-law spouse than an ex-spouse. An average of 12 men per million couples were killed by a current common-law partner, 2 men per million couples were killed by an ex-partner, and 1 man per million couples was killed by a current marital partner.
- Men who killed an ex-partner were most often motivated by jealousy (44%), while arguments or quarrels (41%) most frequently motivated women.
- Estranged husbands were twice as likely as current husbands to have multiple victims. When marital relationships were still intact at the time of spousal homicides, children were the most likely victims other than the spouse. In estranged marriages, the victim's new partner was the most frequent third party victim.

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## Introduction

During the 1990s, advances in methods of measuring violence in the home revealed the frequency of violent marital relationships and the devastating impact that violence can have on the well being of families. The most recent figures from the 1999 General Social Survey (GSS) on victimization estimate that 1.2 million Canadians, or 7% of the married and common-law population, experienced at least one incident of violence by a current or former marital partner during the previous five years.

Research has identified certain factors that increase the risk of spousal assault, including the young age of victims and perpetrators, living in a common-law union, and chronic unemployment and alcohol abuse on the part of perpetrators. Studies have also found a connection between violence and controlling and emotionally abusive behaviour, exposure to violence in childhood, pregnancy, and separation (Smith, 1990; Wilson and Daly, 1993; Wilson, Johnson and Daly, 1995; Johnson, 1996).

Using data from the 1999 General Social Survey, the 1993 Violence Against Women Survey (VAWS), the Uniform Crime Reporting (UCR2) Survey and the Homicide Survey, this *Juristat* investigates the prevalence, nature and severity of violence that occurs following the breakdown of a marital union.

## The prevalence of violence after marital separation

According to the 1999 GSS, 2.8 million Canadians had some form of contact<sup>1</sup> with an ex-marital or common-law partner<sup>2</sup> in the five-year period prior to being surveyed. Within this population, approximately 437,000 women (28%) and 259,000 men (22%) reported some type of violence perpetrated by a former partner, either while living together or after separation.<sup>3</sup>

The focus of this *Juristat* is to examine the frequency and nature of continued abuse after the termination of intimate relationships.<sup>4</sup> While in the majority of cases (63%) the violence ends at separation, assaults occurred after separation in slightly more than one-third of previous violent relationships (see Table 1). Of those who had previous violent relationships, women (39%) were more likely than men (32%) to report that they were assaulted after the relationship ended.

Respondents who reported violence by ex-partners after separation were asked if they thought the frequency or severity of violence increased at that point. Approximately 61,000 (24%) reported that the violence continued and became more serious, and 95,000 (37%) reported that while the violence continued it did not increase in severity. A further 98,000 (39%) indicated that the violence first started after separation (Figure 1).

<sup>1</sup> Only those people who had contact with their ex-partners over the previous five years were asked if they experienced violence. Therefore, it does not capture those individuals who have purposely not had contact with ex-partners in order to escape violence.

<sup>2</sup> Unless specified otherwise, this analysis includes both legal marriages and common-law unions.

<sup>3</sup> For further information about spousal violence and other forms of family violence see Pottie Bunge and Locke, 2000.

<sup>4</sup> A small number of same sex couples are included in the figures presented in this report, but the number of these cases is too small to release separately.

## Measuring post-separation spousal violence

Violence by a previous spouse is measured on the 1999 GSS and the 1993 VAWS by a module of 10 questions. This approach consists of asking respondents about specific actions instead of simply asking about "violence" or "assaults" in order to minimize differing interpretations about what constitutes violent behaviour. Respondents who had contact with a previous spouse in the five years prior to the interview were asked the following questions.<sup>5</sup>

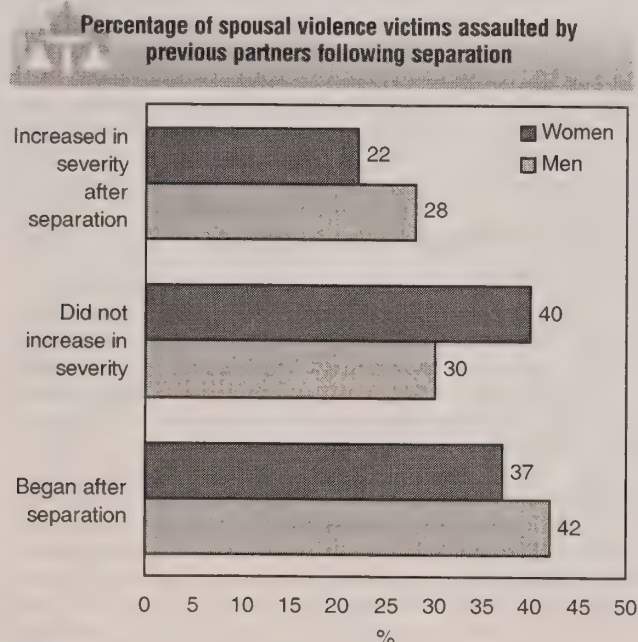
During the past five years, did your previous partner:

1. Threaten to hit you with his/her fist or anything else that could have hurt you?
2. Throw anything at you that could have hurt you?
3. Push, grab or shove you in a way that could have hurt you?
4. Slap you?
5. Kick you, bite you, or hit you with his/her fist?
6. Hit you with something that could have hurt you?
7. Beat you?
8. Choke you?
9. Use or threaten to use a gun or knife on you?
10. Force you into any unwanted sexual activity by threatening you, holding you down, or hurting you in some way?

Respondents who stated that they had experienced any of these ten types of violence were asked, "did any of the violence happen after you split up?" Those who responded affirmatively were asked, "do you think it increased after you split up?" This *Juristat* compares the seriousness and outcomes of violence that continued after separation with cases where the violence ceased.<sup>6</sup> Wherever possible, 1999 GSS figures are compared with 1993 VAWS data to track changes over time.

For the purpose of the GSS and the VAWS, when the coefficient of variation (CV) of an estimate is higher than 33.3%, this is considered too unreliable an estimate to be published and the symbol -- is printed in the corresponding cell of the data table. This symbol is also used to indicate that publication of the data in that cell would violate confidentiality rules. When the CV of the estimate is between 16.6% and 33.3%, the corresponding estimate is accompanied by the symbol "+". Readers using estimates with high CV's to support conclusions should be aware that they are based on relatively small sample counts.

Figure 1



Source: Statistics Canada, General Social Survey, 1999.

## Severity and frequency of post-separation violence

Women and men who were assaulted after separation more frequently described severe forms of violence compared with those assaulted during a current relationship (Table 2). Among those assaulted following separation, 40% of women and 20% of men reported being beaten, 34% of women reported being

choked,<sup>7</sup> and 27% of women and 19% of men had (or threatened to have) a gun or knife used against them. And, for the crime of sexual assault, 35% of women reported this occurrence on at least one occasion.<sup>8</sup>

When there was violence in a previous marriage, multiple occurrences were common, particularly in cases where violence occurred after separation. Approximately 85% of women and 76% of men assaulted by an estranged partner experienced more than one incident of violence (Table 3). About 50% of women and 40% of men who suffered assaults after separation experienced 10 or more incidents of violence.

Just as women experienced more severe types of violence, female victims were more likely to be physically injured during violent encounters. Nearly 60% of women assaulted after separation reported injury, 25% received medical attention for their

<sup>5</sup> The first two questions were given in sequence to all respondents. The remaining eight questions were asked randomly.

<sup>6</sup> The design of the 1999 GSS does not lend itself very well to a detailed analysis of the risk factors associated with the ending or continuation of abuse after separation. Information on demographic characteristics of spouses, such as marital status, age of the victim and offender, unemployment, household income and alcohol abuse is limited to current spouses and is not available for ex-spouses. The data provide no detail on the influence that divorce proceedings or custody and access issues have on post-separation conflict. In addition, the spousal violence modules do not detail the chronology of violent incidents and do not provide details on each incident. Therefore, it is not possible to ascertain when the most serious incident of violence occurred in the sequence of events (i.e., before or after separation). Instead, it is necessary to rely on the victim's perception of whether the violence increased, decreased or stayed the same after separation.

<sup>7</sup> The number of men is too small to produce a statistically reliable estimate.

<sup>8</sup> One limitation of this survey is that it cannot be determined whether these incidents by ex-partners occurred prior to or following the separation, except for those incidents that began after separation.



### Violence that began after separation

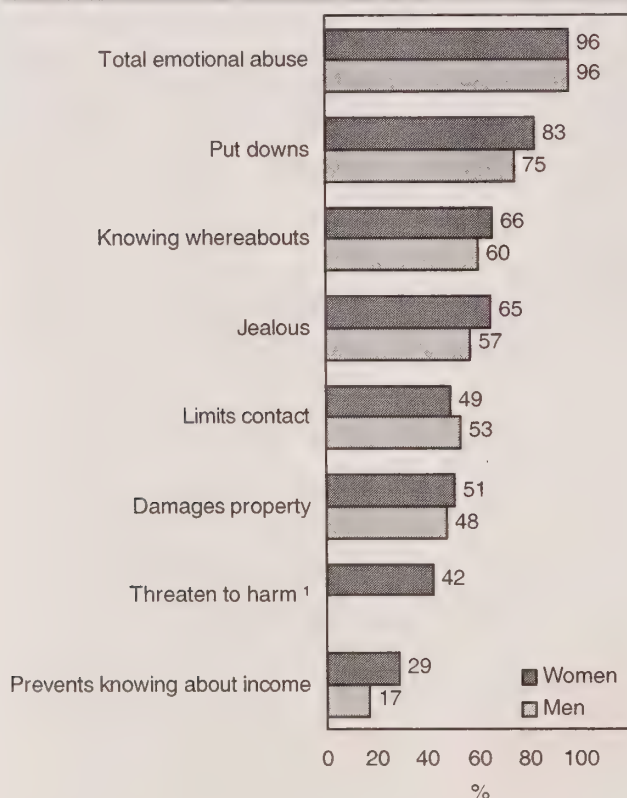
The assumption that the breakdown of a marital union ends the risk of spousal violence is not confirmed by the data. Not only can violence sometimes continue after separation, in many cases the first assault occurs after the couple is separated. According to the 1999 GSS, approximately 63,000 women and 35,000 men were assaulted for the first time after marriage breakdown. Among women who experienced violence after separation, 37% were victimized for the first time after one of the parties had left the shared residence. For men, the proportion was 42%.

The types of violence first experienced after separation can be quite severe, particularly for women. The majority of women (57%) who first experienced violence after separation were beaten, choked, threatened with a gun or knife, or sexually assaulted. Men more frequently reported being kicked, bit, or hit (58%) (Table 4). Approximately 41% of women who first experienced violence after separation feared for their lives as a result of the violence. Multiple victimization incidents were also common with 60% of women and 49% of men in this group being assaulted more than once.

The vast majority of these women and men (96%) also experienced some form of emotional abuse either prior to or following the separation. The most frequent forms of emotional abuse include being put down or called derogatory names (80%), having a spouse who demanded to know their whereabouts at all times (64%) and having a jealous partner (62%) (Figure 2).

Figure 2

### Use of emotional abuse by ex-spouses in relationships in which violence began after separation



<sup>1</sup> The number of men who reported threats is too small to produce a statistically reliable estimate.

Source: Statistics Canada, General Social Survey, 1999.

injuries, and 59% reported fearing for their lives because of the violence. In comparison, 20% of male victims of post-separation violence were injured and 17% feared for their lives.<sup>9</sup>

### Child witnesses of violence

Children were often the unintended observers of violence between spouses. Approximately 218,000 women (50%) and 79,000 men (31%) assaulted by an ex-partner reported that a child had either heard or seen the violence (Table 5). Children were more likely to witness violence against a parent if some incidents occurred following separation compared to those where it stopped at separation (56% compared to 46% in the case of mothers; 40% compared to 27% in the case of fathers).

In many cases, children witness severe forms of spousal violence. In 62% of cases in which children witnessed their mother being assaulted, and in 16% of cases of children witnessing an assault against their fathers, their parent reported fearing his/her life was in danger at some point in the relationship.

Research has shown that witnessing the abuse of a parent can have numerous negative consequences on the health and well-being of children. The immediate effects of witnessing family violence on children can include depression, worry, stress-related disorders and lower levels of empathy (Fantuzzo, et al., 1991; Graham-Bermann & Levendosky, 1998; Moore & Pepier, 1998; Edleson, 1999). The National Longitudinal Survey of Children and Youth (NLSCY) data show that controlling for other influences, children who witnessed violence were at greater risk of physical aggression, indirect aggression and delinquent acts against property compared with other children (Dauvergne & Johnson, 2001). Research on the generational cycle of violence has also found that over the long term children who witness family violence are more likely to use violence to resolve marital conflicts in adulthood (Rodgers, 1994).

### Emotional consequences of violence by ex-partners

Women and men reported a number of emotional consequences resulting from being in a violent relationship. The most common consequences include anger (37% for women and 25% for men), being upset and confused (35% for both women and men) and feeling hurt or disappointed (27% and 25% respectively).

Consistent with the fact that women experienced more severe forms of violence by ex-partners, women assaulted by previous spouses also tended to suffer more negative emotional consequences than did men. Women were much more likely to report being fearful for their personal safety (39% versus 6%<sup>†</sup>) and the safety of their children (17% versus 5%<sup>†</sup>). In addition, women were more likely than men to report having lower self-esteem as a result of the abusive relationship (29% compared with 7%<sup>†</sup>), greater incidence of depression or anxiety (27% versus 16%<sup>†</sup>), shame or guilt (19% versus 8%), and sleeping problems (18% versus 6%<sup>†</sup>).

<sup>9</sup> The number of men who received medical attention for their injuries is too small to produce a statistically reliable estimate.



Some emotional consequences were more prevalent when the violence occurred after separation and overall women reported more emotional consequences from post-separation violence. Women were more likely to report being fearful for themselves and fearful for their children (46% and 23%) than were men in the same situation (34% and 13%). Women were also more likely than men to report depression and anxiety (33% compared with 22%), and having problems relating to others of the opposite sex (16% compared with 8%) when post-separation violence occurred. No statistically significant differences in emotional consequences were found between men who experienced continued violence compared with men who experienced cessation of violence after separation.

## Police intervention

### Police not aware of the majority of violent relationships

The majority of spousal assault victims do not contact the police for assistance. Incidents of spousal violence in current relationships were brought to the attention of the police in only 26% of cases involving female victims and 6%† of cases with male victims over the five-year period. Although seeking police assistance was more common among women and men assaulted by a previous partner (44% and 25% respectively), those who contacted the police remain a minority.

The police were more likely to become aware of violent incidents when women experienced abuse after separation, which may be linked to the severity and persistence of violence experienced. In relationships with violence that continued or first occurred after separation, 55% of women reported having contact with the police compared with 37% if the violence ceased prior to separation. For men, the proportions with police contact were 30% and 23%, respectively (Table 6).

Respondents who had police contact were asked if they thought the violence had increased in severity, decreased/stopped or stayed the same after police intervention. Both women and men were likely to report that the violence stopped after police contact (44% and 50%, respectively). Approximately 33% of women and 39% of men reported no change, and a minority (19% of women and 11% of men) reported an increase in violence. However, without accurate information about the outcome of police intervention (i.e. whether or not formal charges were laid, if the case was taken to court and prosecuted), it is difficult to assess whether it was simply police presence or a combination of factors that had an impact on subsequent violence.

### Victim satisfaction with police intervention

Among those who had police contact following violence in previous relationships, the majority of both women and men (67% and 56%) were satisfied with the actions taken by police. When victims who were assaulted by an ex-partner were asked what else the police could have done, the majority (60%) indicated that no additional police action was necessary. Among female victims,<sup>10</sup> the most common suggestion for improvement was for police to be more supportive and sympathetic (reported by 16%†). Another 15%† of women

suggested that the police should have charged or arrested their ex-partners, 9%† felt they should have taken their ex-partner from the home, 6%† thought they should have responded more quickly, and 5%† stated the police should have referred or taken them to a support service.

### Reasons for not reporting to police

The reasons<sup>11</sup> given by women and men for not reporting the incident(s) to the police were that it was a personal matter (54% and 75%, respectively), it was dealt with another way (61% and 67%, respectively), and the victim did not want to involve the police (47% and 50%, respectively). Many women also indicated that they did not contact the police for fear of the abuser (34%)<sup>12</sup>. Further, women were more likely to report that fear of reprisal was taken into consideration when deciding whether or not to involve police when violence continued than when violence ended at separation (45% and 28%, respectively).

### Emotional Abuse

Emotionally abusive behaviour can take many forms including verbal insults, jealousy, and regular attempts to control and limit the activities and social relationships of one's partner. Case-study interviews with abused women have found that for many women, the cumulative impact of emotional abuse over a long period of time can be equally or more damaging than physical violence (Follingstad et al., 1990; MacLeod, 1987; Walker, 1984).

#### Comparison with the 1993 Violence Against Women Survey

Comparisons can be made between the 1993 VAWS and the 1999 GSS in order to assess changes in post-separation violence against women<sup>13</sup> over time.

Overall rates of spousal violence in the five-year period prior to being surveyed declined from 12% to 8% between these two time points; however, the percentage of women who were assaulted after separation increased from 22% of all cases of violence by past partners in 1993 to 39% in 1999.

The severity of violent acts has generally declined over this time period. Among women who experienced violence after separation, the percentage who were sexually assaulted declined from 46% in 1993 to 35% in 1999. In 1993, approximately 75% of women who were assaulted after separation were beaten, choked, had or threatened to have a gun or knife used against them or were sexually assaulted, down to 66% in 1999.

Approximately 60% of women assaulted after separation reported fearing for their lives both in 1993 and 1999.

In relationships with continued violence, 55% of women in 1999 reported having contact with the police compared with 65% of women in 1993. Many women reported that the violence stopped after police contact (44%). Approximately 33% of women reported no change, and 19% reported an increase in violence. Similar assessments of violence after police intervention were given in 1993.

<sup>10</sup> The number of men is too small to produce a statistically reliable estimate.

<sup>11</sup> Figures do not add to 100% due to multiple responses.

<sup>12</sup> The number of men is too small to produce a statistically reliable estimate.

<sup>13</sup> No comparable data are available for men in 1993. Therefore, no conclusions can be drawn about changes over time in the experiences of men.



Nearly all women (95%) and the vast majority of men (93%) assaulted by previous partners also experienced some form of emotional abuse. Women were more likely than men to report certain forms of emotional abuse including having their contacts with others limited, being threatened, verbally put down and insulted, prevented from knowing about household income, and having their property damaged (Table 7).

Although emotional abuse is common in most violent relationships, certain forms of emotional harm were more prevalent in relationships with post-separation violence, including threats of violence directed at someone close to the victim, and having their property damaged or destroyed.

## Criminal Harassment

Criminal harassment, which includes "stalking," has been a criminal offence in Canada since the passing of Bill C-126 in 1993. Although criminal harassment law is not gender specific, this legislation was mainly introduced as a response to violence against women, and in particular, to domestic violence against women (Department of Justice, 1999). Several highly publicized cases of women being stalked and killed by estranged partners in the early 1990s were the impetus for legislation that would better protect people from criminally harassing behaviour before it escalates to physical violence.

Prior to 1993, persons engaging in criminal harassment might have been charged with offences such as uttering threats, mischief, harassing phone calls or trespassing at night. But existing laws did not adequately address all of the types of behaviour associated with "stalking" including repeatedly following someone or continually watching someone's home or workplace. Section 264 of the *Criminal Code* created a new offence of "criminal harassment" to better respond to all of these behaviours and to provide for a more serious penalty.<sup>14</sup>

According to the Incident-based Uniform Crime Reporting (UCR2) Survey,<sup>15</sup> women were the victims in 77% of criminal

harassment incidents reported to police in 1999. Current or former husbands and boyfriends were the offenders in 55% of incidents reported by women and current or former wives and girlfriends were the perpetrators in 16% of criminal harassment incidents reported by men. Men were more likely to report being stalked by casual acquaintances.

While most incidents of criminal harassment do not culminate in homicide, between 1997 and 1999, stalking behaviour precipitated 12% (6 cases) of all homicides committed by male ex-marital partners.

### Findings from the 1996 U.S. National Violence Against Women Survey

Data on the extent of criminal harassment in the general population are currently not available in Canada. Results of the 1996 National Violence Against Women Survey (NVAWS) conducted in the U.S. found that eight percent of women and two percent of men have been stalked at some point in their life, and four percent of women and less than one percent of men reported being stalked by a current or former marital partner sometime in the past year (Tjaden and Thoennes, 1998). Of those women who reported being stalked by a former partner, 21% said that the stalking occurred before the relationship had ended, and 36% said it occurred both before and after. The remaining 43% of stalking cases occurred only after the relationship had ended. Stalking behaviour by current or ex-marital partners continued for 2.2 years on average.

When asked to describe the most common forms of harassment, victims of both sexes reported being followed, spied on, watched from outside their homes, receiving unwanted phone calls and letters and having property vandalized. This finding showed that stalkers do not always threaten their victim verbally or in writing, but they more often engage in a course of conduct that, taken in context, causes a reasonable person to be fearful.

## The Killing of Ex-Spouses

### Women have a heightened risk of spousal homicide<sup>16</sup> after marital separation

Marital separation is a factor that elevates the rate of spousal homicide for women. Ex-marital partners were responsible for 38% of all homicides perpetrated against women, but only 2% of homicides committed against men. Although spousal killings that occur after separation are fewer in number than those that occur in intact unions (Table 8), when calculated as a rate per million couples, the rates for separated women are higher. Between 1991 and 1999, women were killed by

<sup>14</sup> Refer to Hackett (2000) for more information about criminal harassment in Canada.

<sup>15</sup> The UCR2 Survey is a micro-data survey completed by a sample of police forces across the country. The UCR2 Survey has advantages over the original UCR Survey for this analysis as it isolates criminal harassment from other criminal offences and provides a detailed breakdown of the victim-offender relationship. However, police forces reporting to the UCR2 Survey are mainly urban forces, and as a result, the data are not nationally representative. For the purposes of this report, a subset of 106 police forces that have been consistently reporting to the UCR2 from 1995 to 1999, (representing 41% of the national volume of crime), will be examined.

<sup>16</sup> In Canada, criminal homicide is classified as first degree murder, second degree murder, manslaughter or infanticide. Deaths caused by criminal negligence, suicide, accidental or justifiable homicide are not included in this classification.

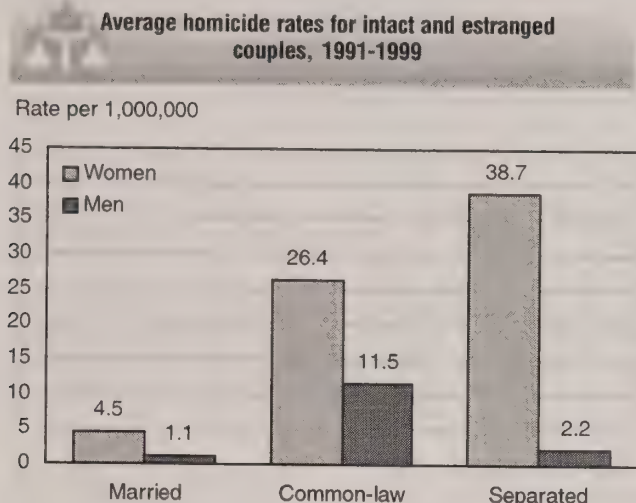
### Criminal Harassment

#### Criminal Code of Canada, s. 264

- (1) No person shall, without lawful authority and knowing that another person is harassed or recklessly as to whether the other person is harassed, engage in conduct referred to in subsection (2) that causes that other person reasonably, in all the circumstances, to fear for their safety or the safety of anyone known to them.
- (2) The conduct mentioned in subsection (1) consists of:
  - a) Repeatedly following from place to place the other person or anyone known to them;
  - b) Repeatedly communicating with, either directly or indirectly, the other person or anyone known to them;
  - c) Besetting or watching the dwelling-house, or place where the other person, or anyone known to them, resides, works, carries on business or happens to be; or
  - d) Engaging in threatening conduct directed at the other person or any member of their family.
- (3) Every person who contravenes this section is guilty of
  - a) an indictable offence and is liable to imprisonment for a term not exceeding five years; or
  - b) an offence punishable on summary conviction.

estranged partners at a rate of 38.7 per million. In comparison, an average of 26.4 per million women were killed by current common-law partners, and 4.5 women per million were killed by current husbands (Figure 3).

Figure 3



The 1991 and 1996 Census was used to estimate the number of women and men aged 15 and older who were married, in a common-law union, and separated from legal marital partners during the reference period. Spousal homicide rates were not calculated for those separated from common-law partners, as there are no reliable estimates for this sub-population available from the Census. All known cases of homicide perpetrated by an ex-common law partner (as identified from police narratives) have been omitted from the separated rates. The denominators used for inter-censal years were estimated by averaging the difference from the known population figures in 1991 and 1996.

Source: Statistics Canada, Homicide Survey, 1991-1999.

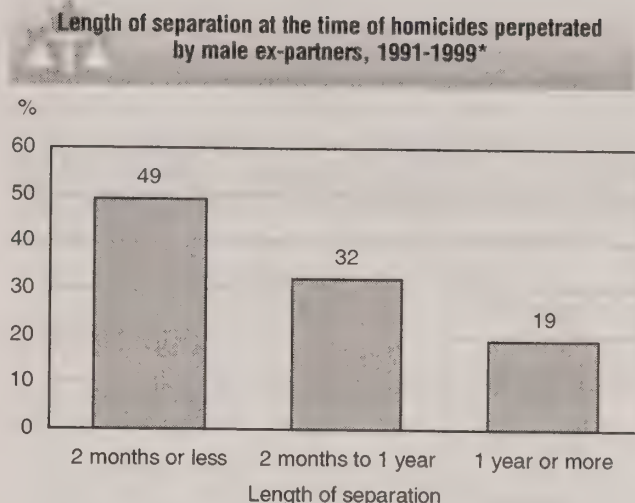
This heightened risk of homicide victimization following separation was not found for men. Instead, men are at greater risk of homicide by a current common-law spouse than an ex-spouse. An average of 11.5 men per million were killed by a current common-law partner between 1991 and 1999, five times the rate for separated men.

### Length of separation

Studies that have examined this aspect of homicide have shown that women are most at risk of homicide within the first several months after separation. Wilson and Daly (1993) reported that among women killed by their estranged husbands in Chicago, USA and New South Wales, Australia approximately 50% were killed within two months and a total of 87% were killed within one year of leaving the relationship.

The Canadian Homicide Survey does not systematically record the length of separation for women and men killed by estranged partners. However, this information is often available in the narrative completed by police about each homicide incident. Of all (169) of the narratives of female killings by ex-partners reviewed,<sup>17</sup> 73 reports specified the length of separation. This sub-set of 73 cases point to the early months of separation as the highest risk time. Approximately one-half of these homicides (49%) occurred within two months of separation, another 32% occurred after two to twelve months of separation, and 19% of homicides were committed more than one year after the dissolution of the relationship (Figure 4).<sup>18</sup>

Figure 4



\* Percentages are based on a subset of 73 cases

Source: Statistics Canada, Homicide Survey, 1991-1999.

### Estranged male partners most often motivated by jealousy

Researchers have attempted to explain why women are more likely than men to be the victim of spousal homicides by estranged partners. Wilson et al. (1995) have argued that wife killings by estranged husbands are best interpreted as an attempt to maintain control over their wives.

In the written descriptions of ex-partner homicides completed by investigating police officers, fear of infidelity stood as a central theme for male perpetrators. As determined by police, the most common motive among men for killing an ex-partner was jealousy (41%). In contrast, men who killed current partners were more often identified as being motivated by the escalation of an argument or quarrel (56%). Similarly, the most common motive among women who killed either previous or current marital partners was an argument or quarrel (41% and 79% respectively) (Table 9).

### Younger women at greater risk of post-separation spousal homicide

The young age of both the victim and offender is commonly cited as a risk factor for lethal and non-lethal violence by spouses. However, this risk of spousal homicide among the young varies by the victim's sex and type of marital union. Women killed by estranged spouses are at greatest risk when they are young (aged 15-24), and risk clearly declines with age for separated women. The same cannot be said for women currently living with legal spouses or common-law partners. Rates of homicide were relatively comparable for married women across age groups, and for women in common-law relationships spousal homicide rates were highest for those

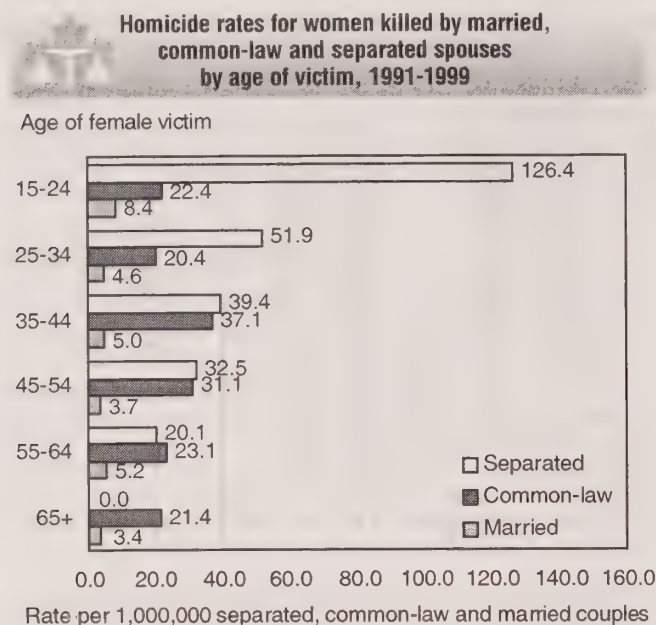
<sup>17</sup> Incomplete information and small numbers prohibited the analysis of separation length for men killed by ex-marital partners.

<sup>18</sup> These proportions should be interpreted with caution because of the high rate of missing information.



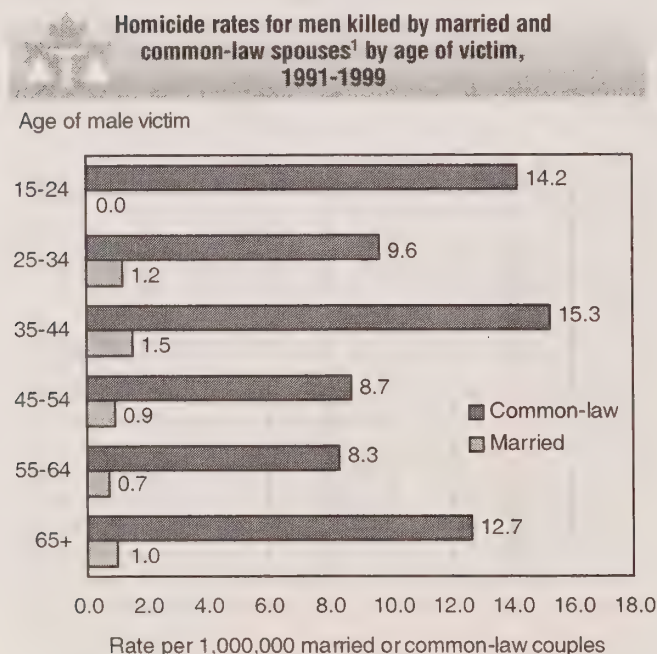
35 to 44 years of age. Although homicide rates were highest for men living in common-law relationships, there was no clear age-related pattern for men.<sup>19</sup>

Figure 5



Source: Statistics Canada, Homicide Survey, 1991-1999.

Figure 6



<sup>1</sup> The number of men killed by ex-marital partners were too small to analyse by age of victims.

Source: Statistics Canada, Homicide Survey, 1991-1999.

## Multiple victims more common in ex-partner homicides

When women killed their current or ex-marital partners, it was very rare for harm to come to others during the incident.<sup>20</sup> Men, on the other hand, were much more likely to kill others in addition to their spouses during these incidents, and estranged husbands were twice as likely as current husbands to do so. There were multiple victims in approximately 12%<sup>21</sup> of homicides committed by male ex-spouses and 6% of homicides committed by current male spouses.

Among marital relationships still intact at the time of homicide, children were the most likely third party victims of multiple homicides (79%). In estranged marriages, however, the female victim's new partner was the most frequent third party killed (38%), followed by other family members of the victim (24%), the couple's children (24%), and friends (14%) (Table 10). Wilson and Daly (1993) argue that often violence against female partners is used to control and deter partners from pursuing other romantic involvements. When this control is unsuccessful, new partners may also become victims of jealous ex-partners.

There were similar trends in non-lethal cases of spousal violence. According to the 1999 GSS, third parties were threatened or harmed in 25% of cases in which women were assaulted by ex-partners and 14% of cases with male victims. Third parties were two to three times more likely (for female and male victims respectively) to be harmed in relationships with continued violence after separation than those who experienced violence only while residing with their ex-partner. Similar to multiple homicides, children under age 15 made up a lesser share of third party victims when violence continued after separation than when it ceased.

## The presence of children

The Homicide Survey does not routinely record whether children of the victim or accused witnessed spousal homicide incidents. However, among the 169 narratives of ex-partner homicide reviewed, 29 (17%) noted that one or more children witnessed the killing of a parent. In 22 cases (13%) a child was present but unharmed, in 5 cases (3%) a child was also killed, and in 2 cases (1%) an attempt was made on a child's life.

Again, it is important to note that the number of child witnesses could be underestimated, as not all narratives provided the detail required for an accurate assessment. Also, as children were more likely to become third party victims in current partner homicides, it is likely that child witnesses were more prevalent in these incidents.

<sup>19</sup> Numbers were too small to calculate age-specific rates of homicide perpetrated by estranged spouses for men.

<sup>20</sup> Between 1991 and 1999, less than one percent of husband killings (representing one incident) involved multiple victims.

<sup>21</sup> This proportion is an underestimation of the number of third parties victimized, as it does not take into account the attempted murder of third parties. In addition, if following the homicide the perpetrator kills a third party in a different location, it is most often classified as an incident distinct from the spousal homicide.

## Homicide followed by suicide

Research suggests that the likelihood of suicide following a homicide increases with the closeness of ties between the offender and the victim and is highest after the offender kills a child or a spouse (Stack, 1997). Homicide data in Canada show that men, and especially estranged male partners, were more likely than women to take their own lives following the killing of a spouse. Among male ex-partners, 39% committed suicide following the homicide,<sup>22</sup> as compared with 29% that killed current spouses. No incidents of murder-suicide were found among women who killed their male ex-partners, and a small percentage of women who killed current partners (3%) also committed suicide.

## Most ex-partner homicides occur in a private residence

The majority of homicides perpetrated by ex-marital partners occurred in a private residence (75% and 71% of homicides involving female and male victims respectively). Most of these took place in the home of the women involved, whether they were the victim or the killer. Female victims were most often killed in their own homes (53%); only 17% were killed in the home of the male accused. The pattern was different for men killed by ex-partners: men were most often killed in the home of the female accused (41%), and in only 24% of cases in their own homes.

## Use of firearms

Consistent with homicides in general, men who killed their spouses, particularly men who killed estranged partners, were more likely than women to use firearms. From 1991-1999 the most common cause of death for women killed by current and estranged partners was being shot (33% and 44%, respectively) followed by being stabbed with a knife (29% and 31%, respectively). The opposite is true for male victims. Men killed by a current or ex-spouse most often had common household knives used against them (66% and 59%, respectively), while a smaller proportion (19% and 24%, respectively) were killed with firearms.

The proportion of current and estranged spousal killings involving firearms fluctuated during the 1991 to 1999 period, revealing no clear increase or decrease in the use of firearms.

## Previous history of domestic violence common in spousal homicides

Between 1991 and 1999, police were aware of previous domestic violence in 74% of homicides perpetrated by ex-husbands, 57% of homicides perpetrated by common-law husbands and 41% perpetrated by husbands in legal marriages. Women under the age of 30 killed by ex-spouses had the highest homicide rates and were most likely to have a history of domestic violence: 80% of these cases had known histories of domestic violence. In contrast, police were more likely to be aware of previous violence when men were killed by their common-law wives (66%) than those killed by ex-partners (59%) or legal spouses (56%). However, these figures should be interpreted with caution, as it is not clear from police statistics who was responsible for the domestic assaults, the victim or the perpetrator of the homicide. Some homicide offenders are

acting in self-defence when the homicides occur and it is the victims who are responsible for a history of domestic assaults (Browne, 1986).

Of the police narratives reviewed, at least 8% of male ex-partners accused of killing their former partners had a non-association or restraining order against them at the time of the homicide.<sup>23</sup> In 1999, 65% (13) of men who killed their former spouses had a previous criminal record, of which 45% (9) had a record for violent offences.<sup>24</sup> However, it is not known how many of these convictions involved domestic violence.

## Methodology

### THE 1999 GENERAL SOCIAL SURVEY (GSS) ON VICTIMIZATION

The victimization cycle of the Statistics Canada's General Social Survey (GSS) was conducted for the third time in 1999. Previous cycles were conducted in 1988 and 1993. As in the past, individuals 15 years and older were asked about their experiences with crime and their opinions concerning the justice system. One of the enhancements made to the GSS in 1999 was the addition of a spousal violence module. Following the structure of the Violence Against Women Survey (VAWS), the 1999 GSS asked respondents who had ever been married or lived in a common-law relationship a series of questions to measure the extent of sexual and physical assault and emotional abuse by a current or former spouse/partner during the previous five years. This was a major improvement over the previous survey that included only general physical and sexual assault questions and simply reminded respondents to include acts by family and non-family members. Research has shown that for sensitive and complex issues such as spousal violence, respondents are more likely to disclose violence if they are asked a series of questions about specific acts that their spouse/partner might have done to them.

### Sampling and data collection

Households in the 10 provinces were selected using random digit dialing techniques. Once a household was chosen, an individual 15 years or older was randomly selected to respond to the survey. Households without telephones were excluded from the survey. Also excluded were individuals living in institutions. In all, approximately 2% of the population was excluded. This figure is not large enough to significantly change the estimates.

In 1999, as in previous cycles of the GSS, the response rate was quite high with 81% of selected respondents answering the survey. Types of non-response included respondents who refused to participate, could not be reached, or could not speak English or French.

<sup>22</sup> Incident narratives reveal that another 6% attempted to commit suicide.

<sup>23</sup> There was no mention in incident narratives of restraining orders against women who killed ex-partners.

<sup>24</sup> The proportion of perpetrators with a criminal record was higher for men who killed current common-law partners (94%), and lower for perpetrators in legal marriages (20%). There were too few cases of husband killings in 1999 to analyze the criminal history of the accused.



It is important to note that the GSS data are estimates. They are based on information collected from a sample of the population and are therefore subject to sampling error. This Juristat uses the coefficient of variation (CV) as a measure of the sampling error. Any estimate that has a high CV (over 33.3%) has not been published because the estimate is too unreliable.

## The Homicide Survey

The Homicide Survey has collected police-reported data on all homicide incidents, victims and accused persons (including murder, manslaughter and infanticide) since 1974. For every homicide that comes to the attention of police, the investigating police department completes a survey questionnaire. This questionnaire remained virtually unchanged up to 1990. In 1991 and later in 1997, in an effort to respond to changing information needs, the survey was revised and expanded.

The homicide count for each year reflects the number of homicides reported to police in that year, regardless of the date that the homicide actually occurred. Socio-demographic and other information (e.g., history of domestic violence, alcohol/drug consumption) about persons accused of homicide are only available for solved incidents (i.e., where at least one accused has been identified).

## The Uniform Crime Reporting (UCR) Survey

The Uniform Crime Reporting (UCR) Survey was developed by Statistics Canada with the Co-operation and assistance of the Canadian Association of Chiefs of Police. The aggregate UCR Survey, which became operational in 1962, collects crime and traffic statistics reported by all police agencies in Canada. UCR survey data reflect reported crime that has been substantiated through police investigation.

The UCR2 Survey is a micro-data survey that provides detailed information about the characteristics of the crime incident, the victim and the accused. The UCR2 Survey has an advantage over the original UCR Survey as it does not aggregate criminal harassment with other offences and can isolate these occurrences.

The number of police forces reporting to the UCR2 Survey has been increasing from year to year. The UCR2 Trend database used for this report is based on a subset of 106 police forces that consistently reported to the UCR2 from 1995 to 1999. These 106 police forces included Toronto, Montreal, Calgary, Edmonton, Vancouver, and Regina and represented 41% of the national volume of crime. The police forces that reported to the UCR2 Survey were mainly municipal forces, and the majority of reported incidents came from the provinces of Ontario and Quebec. As a result, the data are not geographically representative at the national level.

## The 1993 Violence Against Women Survey (VAWS)

In 1993 Statistics Canada conducted a national survey (excluding the Yukon and the Northwest Territories), on behalf of Health Canada, on male violence against women. Approximately 12,300 women 18 years of age and older were interviewed in depth by telephone about their experiences of physical and sexual violence since the age of 16 and about their perceptions of their personal safety.

The VAWS was the first national survey to ask a random sample of women about their experiences of violence. The survey was conducted by telephone using the random digit dialing in the selection of households. Every household in the ten provinces stood a chance of being selected, allowing statistically reliable estimates to be made of the general population. Women without telephones, those residing in institutions and those who did not speak English or French were excluded from the sample.

Responses were weighted to represent the population of Canadian women 18 years of age and older. Estimates of proportions of the total female population produced from this survey are expected to be within 1.2% of the true proportion 19 times out of 20. Estimates of proportions of subpopulations will have wider confidence intervals.

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Table 1

# Number and percentage of women and men who reported violence by a spouse, previous 5 years

	Total		Female victim		Male victim	
	No. (000s)	%	No. (000s)	%	No. (000s)	%
<b>Violence by any spouse</b>	<b>1,239</b>	<b>7</b>	<b>690</b>	<b>8</b>	<b>549</b>	<b>7</b>
No violence in the past 5 years	14,505	87	7,234	87	7,271	87
Refused	959	6	433	5	526	6
Total with current or previous spouse	16,702	100	8,356	100	8,346	100
<b>Total violence by current spouse</b>	<b>562</b>	<b>4</b>	<b>259</b>	<b>4</b>	<b>303</b>	<b>4</b>
No violence in the past 5 years	13,501	91	6,678	91	6,823	90
Refused	806	5	373	5	433	6
Total with current spouse	14,869	100	7,310	100	7,558	100
<b>Violence by previous spouse</b>	<b>697</b>	<b>25</b>	<b>437</b>	<b>28</b>	<b>259</b>	<b>22</b>
No violence in the past 5 years	2,022	73	1,100	71	922	76
Refused	41	2†	17	1†	24	2†
Total with previous spouse	2,759	100	1,554	100	1,205	100
<b>Total violence by previous spouse</b>	<b>697</b>	<b>100</b>	<b>437</b>	<b>100</b>	<b>259</b>	<b>100</b>
Violence ceased at separation	437	63	264	60	173	67
Violence after separation	255	37	172	39	83	32
Don't know/refused	--	--	--	--	--	--
<b>Violence after separation</b>	<b>255</b>	<b>100</b>	<b>172</b>	<b>100</b>	<b>83</b>	<b>100</b>
Increased in severity	61	24	39	22	23	28
Did not increase in severity	95	37	69	40	25	30
Began after separation	98	39	63	37	35	42

† Coefficient of variation is high (16.6% and 33.3%).

-- amount too small to be expressed

Figures may not add to totals due to rounding.

Source: Statistics Canada, General Social Survey, 1999.

Table 2

## Types of violence in previous and current marital unions by sex of victim

Type of violence	Violence by previous spouse						Violence by current spouse	
	Total		Violence ended at separation		Violence occurred after separation		Total	
	No. (000s)	%	No. (000s)	%	No. (000s)	%	No. (000s)	%
<b>Total violence female victims</b>	<b>437</b>	<b>100</b>	<b>264</b>	<b>100</b>	<b>172</b>	<b>100</b>	<b>259</b>	<b>100</b>
Threatened to hit	307	70	168	64	137	80	145	56
Threw something	211	48	122	46	88	51	90	35
Pushed, grabbed	378	87	228	87	150	87	187	72
Slapped	203	46	113	43	89	52	77	30
Kicked, bit or hit	177	41	102	39	75	44	50	19
Hit with something	127	29	65	25	61	35	28†	11†
Beat	139	32	71	27	68	40	33†	13†
Choked	114	26	56	21	58	34	26†	10†
Used or threatened to use gun or knife	86	20	40	15	46	27	--	--
Sexual assault	117	27	57	22	60	35	21†	8†
<b>Total violence male victims</b>	<b>259</b>	<b>100</b>	<b>173</b>	<b>100</b>	<b>83</b>	<b>100</b>	<b>303</b>	<b>100</b>
Threatened to hit	173	67	107	62	66	79	162	53
Threw something	147	57	99	57	46	55	163	54
Pushed, grabbed	135	52	84	48	51	61	103	34
Slapped	162	63	109	63	53	64	153	51
Kicked, bit or hit	161	62	102	59	59	71	124	41
Hit with something	93	36	60	35	33	40	53	17
Beat	41	16	25†	14†	16†	20†	13†	4†
Choked	18†	7†	--	--	--	--	--	--
Used or threatened to use gun or knife	35†	14†	20	12	15	19	--	--
Sexual assault	--	--	--	--	--	--	--	--

† Coefficient of variation is high (16.6% and 33.3%).

-- amount too small to be expressed

Figures do not add to totals due to multiple responses.

Source: Statistics Canada, General Social Survey, 1999.



Table 3

## Severity of ex-partner violence, past five years

	Violence by previous spouse						Violence by current spouse	
	Total		Violence ended at separation		Violence occurred after separation		Total	
	No. (000s)	%	No. (000s)	%	No. (000s)	%	No. (000s)	%
<b>Total violence female victim</b>	<b>437</b>	<b>100</b>	<b>264</b>	<b>100</b>	<b>172</b>	<b>100</b>	<b>259</b>	<b>100</b>
Occurred once	104	24	79	30	25	15	126	49
2-9 times	163	38	105	40	58	34	81	31
10 or more times	163	37	76	29	87	51	42	16
Not stated/don't know	--	--	--	--	--	--	--	--
Physical injury	213	49	112	42	101	59	67	26
No physical injury	217	50	146	55	70	41	186	72
Not stated/don't know	--	--	--	--	--	--	--	--
Received medical attention	80	19	37	14	43	25	25	10
Did not receive medical attention	133	31	75	29	59	34	42	16
No physical injury	217	50	146	55	70	41	186	72
Not stated/don't know	--	--	--	--	--	--	--	--
Feared for her life	208	48	106	40	102	59	53	20
Did not fear for her life	220	50	153	58	68	39	201	77
Not stated/don't know	--	--	--	--	--	--	--	--
<b>Total violence male victim</b>	<b>259</b>	<b>100</b>	<b>173</b>	<b>100</b>	<b>83</b>	<b>100</b>	<b>303</b>	<b>100</b>
Occurred once	76	29	57	33	18†	21†	163	54
2-9 times	107	41	74	43	32	38	113	37
10 or more times	66	26	35	20	31	38	20†	7†
Not stated/don't know	--	--	--	--	--	--	--	--
Physical injury	54	21	38	22	16†	20†	18†	6†
No physical injury	199	77	134	77	65	78	279	92
Not stated/don't know	--	--	--	--	--	--	--	--
Received medical attention	13†	5†	--	--	--	--	--	--
Did not receive medical attention	41†	16†	30	17	11†	14†	--	--
No physical injury	199	77	134	77	65	78	279	92
Not stated/don't know	--	--	--	--	--	--	--	--
Feared for his life	34	13†	19	11	15†	17†	--	--
Did not fear for his life	219	84	152	88	66	80	--	--
Not stated/don't know	--	--	--	--	--	--	--	--

† Coefficient of variation is high (16.6% and 33.3%).

-- amount too small to be expressed

Figures may not add to totals due to rounding.

Source: Statistics Canada, General Social Survey, 1999.

Table 4

### Types of violence in relationships where the first incident occurred after separation by sex of victim

Type of violence	Female victim		Male victim	
	No. (000s)	%	No. (000s)	%
<b>Total violence</b>	<b>63</b>	<b>100</b>	<b>35</b>	<b>100</b>
Threatened to hit	42	67	26	75
Threw something	22†	35†	12†	34†
Pushed, grabbed	46	73	17†	48†
Slapped	15†	24†	17†	48†
Kicked, bit or hit	14†	21†	20†	58†
Hit with something	--	--	--	--
Beat	13†	21†	--	--
Choked	11†	17†	--	--
Used or threatened to use gun or knife	12†	19†	--	--
Sexual assault	14†	22†	--	--

† Coefficient of variation is high (16.6% and 33.3%).

-- amount too small to be expressed

Figures do not add to totals due to multiple responses.

Source: Statistics Canada, General Social Survey, 1999.

Table 5

### Severity of violence by an ex-partner witnessed or heard by children, past 5 years

	Total		Violence ended at separation		Violence occurred after separation	
	No. (000s)	%	No. (000s)	%	No. (000s)	%
<b>Total violence experienced by female victims</b>	<b>437</b>	<b>100</b>	<b>264</b>	<b>100</b>	<b>172</b>	<b>100</b>
Children saw or heard violence	218	50	122	46	97	56
Children did not see or hear violence	102	23	65	25	36†	21†
No children at the time	109	25	71	27	38†	22†
Not stated/Don't know	--	--	--	--	--	--
<b>Total with children who saw or heard violence</b>	<b>218</b>	<b>100</b>	<b>122</b>	<b>100</b>	<b>97</b>	<b>100</b>
Parent feared for his/her life	135	62	67	70	68	56
Parent did not fear for his/her life	82	38	29†	30†	53	44
Not stated/Don't know	--	--	--	--	--	--
<b>Total violence experienced by male victims</b>	<b>259</b>	<b>100</b>	<b>173</b>	<b>100</b>	<b>83</b>	<b>100</b>
Children saw or heard violence	79	31	46	27	33	40
Children did not see or hear violence	79	30	56	32	22†	27†
No children at the time	91	35	65	38	25†	31†
Not stated/Don't know	--	--	--	--	--	--
<b>Total with children who saw or heard violence</b>	<b>79</b>	<b>100</b>	<b>46</b>	<b>100</b>	<b>33</b>	<b>100</b>
Parent feared for his/her life	13†	16†	--	--	--	--
Parent did not fear for his/her life	67	84	--	--	--	--
Not stated/Don't know	--	--	--	--	--	--

† Coefficient of variation is high (16.6% and 33.3%).

-- amount too small to be expressed

Figures may not add to totals due to rounding.

Source: Statistics Canada, General Social Survey, 1999.



Table 6

### Number and percentage of spousal violence incidents reported to police, past five years

	Violence by previous spouse						Violence by current spouse	
	Total		Violence ended at separation		Violence occurred after separation		Total	
	No. (000s)	%	No. (000s)	%	No. (000s)	%	No. (000s)	%
<b>Total violence experienced by female victims</b>	<b>437</b>	<b>100</b>	<b>264</b>	<b>100</b>	<b>172</b>	<b>100</b>	<b>259</b>	<b>100</b>
<b>Reported to the police</b>								
Yes	191	44	100	37	94	55	66	26
No	237	54	161	61	75	44	185	71
Refused/don't know	--	--	--	--	--	--	--	--
<b>Satisfaction with police response</b>	<b>191</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>94</b>	<b>100</b>	<b>66</b>	<b>100</b>
Satisfied	128	67	68	70	60	63	49	74
Dissatisfied	63	33	28†	29†	35	37	14†	22†
Refused/don't know	--	--	--	--	--	--	--	--
<b>Total violence experienced by male victims</b>	<b>259</b>	<b>100</b>	<b>173</b>	<b>100</b>	<b>83</b>	<b>100</b>	<b>303</b>	<b>100</b>
<b>Reported to the police</b>								
Yes	65	25	40	23	25†	30†	19†	6†
No	186	72	130	75	55	66	276	91
Refused/don't know	--	--	--	--	--	--	--	--
<b>Satisfaction with police response</b>	<b>65</b>	<b>100</b>	<b>40</b>	<b>100</b>	<b>25†</b>	<b>100†</b>	<b>19†</b>	<b>100†</b>
Satisfied	36	56	19†	48†	17	69	--	--
Dissatisfied	28	43	21†	52†	--	--	--	--
Refused/don't know	--	--	--	--	--	--	--	--

† Coefficient of variation is high (16.6% and 33.3%).

-- amount too small to be expressed

Figures may not add to totals due to rounding.

Source: Statistics Canada, General Social Survey, 1999.

Table 7

# Prevalence of emotional and financial abuse by ex-partners, past five years

Type of emotional abuse	Prevalence of emotional abuse among those who experienced violence by previous spouse						No violence by previous spouse	
	Total		Violence ended at separation		Violence continued after separation		Total	
	No. (000s)	%	No. (000s)	%	No. (000s)	%	No. (000s)	%
<b>Total violence female victims</b>	<b>437</b>	<b>100</b>	<b>264</b>	<b>100</b>	<b>172</b>	<b>100</b>	<b>1,110</b>	<b>100</b>
Tried to limit contact with family and friends	269	61	154	58	114	67	450	29
Put you down or called you names to make you feel bad	365	84	212	80	152	88	717	46
Jealous and did not want you to talk to other men/women	319	73	182	69	135	79	588	38
Harmed, or threatened to harm, someone close to you	186	43	85	32	100	58	274	18
Demanded to know who you were with and where you were at all times	290	66	162	61	128	74	484	31
Damaged or destroyed your possessions or property	260	59	140	53	119	69	399	26
Prevented you from knowing about or having access to the family income	137	31	74	28	63	37	252	16
Total emotional or financial abuse	416	95	248	94	167	97	900	58
<b>Total violence male victims</b>	<b>259</b>	<b>100</b>	<b>173</b>	<b>100</b>	<b>83</b>	<b>100</b>	<b>922</b>	<b>100</b>
Tried to limit contact with family and friends	121	47	71	41	49	59	255	21
Put you down or called you names to make you feel bad	165	64	101	59	64	76	335	28
Jealous and did not want you to talk to other men/women	181	70	121	70	59	71	407	34
Harmed, or threatened to harm, someone close to you	45	17	19†	11†	26†	32†	74	6
Demanded to know who you were with and where you were at all times	158	61	98	57	59	70	311	26
Damaged or destroyed your possessions or property	107	41	60	35	45	55	164	14
Prevented you from knowing about or having access to the family income	55	21	32†	19†	23†	27†	86	7
Total emotional or financial abuse	240	93	157	91	81	97	610	51

† Coefficient of variation is high (16.6% and 33.3%).

Figures do not add to totals due to multiple responses.

Source: Statistics Canada, General Social Survey, 1999.



Table 8

### Homicides perpetrated by previous and current spouses by sex of victim, 1991-1999

	Female victim		Male victim	
	No.	%	No.	%
Current spouse	447	72	148	90
Ex-spouse	170	28	17	10
<b>Total</b>	<b>617</b>	<b>100</b>	<b>165</b>	<b>100</b>

Percentages may not total 100% due to rounding.

Source: Statistics Canada, Homicide Survey.

Table 9

### Police recorded principle motive for killing ex-partners and current partners by sex of victim, 1991-1999

	Perpetrated by ex-marital partners				Perpetrated by current marital partners			
	Female victims		Male victims		Female victims		Male victims	
	No.	%	No.	%	No.	%	No.	%
Revenge	20	12	2	12	6	1	8	5
Jealousy	69	41	2	12	84	19	10	7
Argument, quarrel, frustration	57	34	7	41	249	56	117	79
Finances	3	2	2	12	19	4	1	1
Other	16	9	4	24	47	11	8	5
No known motive	5	3	0	0	42	9	4	3
<b>Total</b>	<b>170</b>	<b>100</b>	<b>17</b>	<b>100</b>	<b>447</b>	<b>100</b>	<b>148</b>	<b>100</b>

Percentages may not total 100% due to rounding.

Source: Statistics Canada, Homicide Survey.

Table 10

### Number and percentage of multiple victim homicides committed by male spouses, 1991-1999

	Victim-offender relationship			
	Estranged husband		Current husband	
	No.	%	No.	%
<b>Total homicides</b>	<b>170</b>	<b>100</b>	<b>447</b>	<b>100</b>
Single victim homicides	149	88	419	94
Multiple victim homicides	21	12	28	6
<b>Relationship to primary victim</b>	<b>21</b>	<b>100</b>	<b>28</b>	<b>100</b>
Child of victim	5	24	22	79
New love interest of victim	8	38	0	0
Family member of victim	5	24	3	11
Friend, acquaintance of victim	3	14	3	11

Source: Statistics Canada, Homicide Survey, 1991-1999.

## Canadian Centre for Justice Statistics

For further information, please contact the Canadian Centre for Justice Statistics, 19th floor, R.H. Coats Building, Ottawa, Ontario K1A 0T6 at (613) 951-9023 or call toll-free 1 800 387-2231. To order a publication, you may telephone (613) 951-7277 or fax (613) 951-1584 or internet: [order@statcan.ca](mailto:order@statcan.ca). You may also call 1 800 267-6677 (Canada and United States) toll-free. If you order by telephone, written confirmation is not required.

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# Juristat

Canadian Centre for Justice Statistics

Statistics Canada – Catalogue no. 85-002-XPE Vol. 21 no. 8



## CRIME STATISTICS IN CANADA, 2000

by Ron Logan

### Highlights

- Canada's police-reported crime rate decreased by 1% in 2000, the ninth consecutive annual drop. The 2000 rate was the lowest since 1978. Of the nearly 2.4 million *Criminal Code* incidents, (excluding traffic), 13% were violent crimes, 53% were property crimes, and the remaining 34% were other offences such as mischief, disturbing the peace, prostitution and arson.
- The decrease in the crime rate was driven by a 5% drop in property crime, including a 9% decline in break-ins and a 2% drop in motor vehicle theft. The violent crime rate increased by 3% in 2000, following seven straight years of decline. Increases were seen in the rate of attempted murder (+11%) and assaults (+5%). Both the homicide rate and the rate of sexual assaults remained stable, while robberies declined by 7%.
- A number of other offences showed increases in 2000, including disturbing the peace (+14%), drug offences (+9%), arson (+7%), and mischief (+4%). Declines were reported for fraud (-6%), weapons offences (-5%), prostitution (-5%), impaired driving (-3%), and theft (-3%).
- The drop in the national crime rate was fuelled by declines in three of the four largest provinces: Ontario (-1%), British Columbia (-3%), and Alberta (-3%). The only provinces to report an increase in crime were Saskatchewan (+5%), Newfoundland (+3%), Quebec (+1%), and Manitoba (+1%). All three territories showed an increase in their crime rate.
- Among the provinces, Newfoundland continued to show the lowest crime rate, followed by Quebec. Saskatchewan had the highest crime rate, followed by British Columbia. Saskatchewan and Manitoba reported the highest violent crime rates, with the lowest being in Quebec and Prince Edward Island.
- The crime rate dropped in six of the nine largest metropolitan areas in 2000, with the largest decreases reported in Ottawa (-11%) and Calgary (-7%). Increases were observed in Winnipeg (+7%), Québec (+5%), and Montréal (+1%).
- Even with a 3% decline in 2000, Vancouver showed the highest crime rate among the nine largest metropolitan areas, followed by Winnipeg. The lowest rates were reported in Québec, Toronto and Ottawa.
- The youth crime rate, as measured by the rate of youths charged with criminal offences, increased slightly (+1%) after having decreased the previous eight years. The youth charged rate for violent offences increased 7%, while the youth charged rate for property crimes dropped 4%. Most categories of youth violent crime rose in 2000: sexual assault (+18%), assault (+7%), and robbery (+2%). The rate of youths charged with homicide, however, dropped by 9% (four fewer homicides).





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## Introduction

To measure the magnitude, nature and impact of criminal behaviour, there are two main sources of information in Canada: police-reported data and victimization surveys. While police-reported data measure crimes known to the police, victimization surveys collect information directly from the general population, regardless of whether or not the crime was reported to police.

This report is an examination of 2000 police-reported crime in Canada. Data are presented within the context of both short and long-term trends. The analysis focuses on trends in violent crime, property crime, impaired driving offences, drug offences and youth crime. Crime rates are examined at the national and provincial/territorial level, as well as for major metropolitan areas. The trend in Canada's crime rate is put into perspective by comparing it with crime trends in a number of other industrialized countries. Detailed information on incidents, accused persons and victims is also presented where appropriate.

Every year since 1962, Canada's police agencies have reported criminal incidents that come to their attention, or that are detected through police investigation, to the Canadian Centre for Justice Statistics (CCJS) by means of the Uniform Crime Reporting (UCR) survey (see methodology section for a description of the survey).

The CCJS gratefully acknowledges the assistance of Canada's police agencies and the Canadian Association of Chiefs of Police (CACF) in making this report possible.

### Criminal Victimization Data from the General Social Survey

Information on crime rates in Canada is available from two types of surveys: victimization surveys such as the General Social Survey (GSS) and police-reported surveys such as the Uniform Crime Reporting (UCR) Survey. These two surveys produce different, yet complementary, results. The principal advantage of victimization surveys is their ability to include the "dark figure" of crime, that is, crime that is not reported to police. As a result, victimization surveys usually produce higher rates of criminal activity than police-reported statistics.

In addition, victimization surveys like the GSS capture information on reasons why victims of criminal incidents did not report incidents to the police, factors associated with risks of personal and household victimization and, importantly, perceptions held by Canadians of crime and the Canadian justice system. The 1999 GSS captured a wide range of information on perceptions of crime and the justice system, including whether or not Canadians believed crime levels are stable, or have changed, feelings of personal safety from crime and "the kind of job" provided by the local police, the criminal courts and the correction system.

The 1999 GSS collected information on eight crime categories. It found that the rates for sexual assault, robbery, assault, break and enter, motor vehicle/parts theft and vandalism did not change significantly between 1993 and 1999. However, increased rates were observed for the theft of both personal property and household property. Police-reported data from the UCR Survey for the same period indicated a declining crime rate for each of these crime categories. One reason why these two data sources differ is that not all crimes are reported to the police. In fact, GSS data show that the proportion of crimes not reported to police increased between 1993 and 1999. This decline in reporting is especially evident for more minor crime types, including vandalism and the theft of household and personal property.

For additional information, please see Besserer, S. and Trainor, C., (2000), "Criminal Victimization in Canada", Juristat, Catalogue 85-002, Vol.20, no. 10.

## Interpreting police-reported crime data

Incidents that come to the attention of the police are captured and forwarded to the CCJS according to a nationally-approved set of common crime categories and definitions. The reader should note, however, that many factors could influence official crime statistics. These include: reporting by the public to the police; reporting by police to the CCJS; the impact of new initiatives such as changes in legislation, policies or enforcement practices; and, social, economic, and demographic changes.



### Reporting to police

There are many reasons why victims may not report criminal incidents to police. According to the 1999 General Social Survey (GSS), these reasons include: the level of seriousness related to the incident (i.e., "the incident was not important enough"); the victim did not want the police involved; the victim believed that the police "could not do anything"; and, the fear of reprisals from the aggressor or other negative consequences of criminal justice system intervention.<sup>1</sup> However, other factors such as the willingness to see the offender punished, a feeling of social obligation to report criminal behaviour, as well as the need for a police report to receive insurance compensation may encourage people to report certain criminal offences to police.<sup>2</sup>

Although the failure to report crimes to the police can lead to an under-counting of official police crime statistics, the opposite can also be true: as the tolerance of Canadians for certain types of crimes lowers, reporting to police will increase, thus driving crime statistics upward. For example, increased public awareness in the areas of family violence and sexual assault may lower society's tolerance for these behaviours, which, in turn, may encourage victims and witnesses to report to police and encourage police to lay more charges.

According to the 1999 GSS, the percentage of Canadians reporting criminal incidents to police declined between 1993 and 1999. For the eight GSS crime types, 37% of incidents were reported to the police, down slightly from 42% in 1993.<sup>3</sup> The main reason cited by victims for not reporting was because the incident was deemed "not important enough".

### Reporting by police to the CCJS

Crimes reported to the CCJS by police agencies are subject to numerous quality-control procedures, both on-site at the police agency and at the CCJS. The CCJS and police agencies work together on an on-going basis to detect and resolve any difficulties in the reporting or transmission of data.

Concerns have been raised that tighter budgets during the 1990's have diminished the ability of some police agencies to respond to, and document, all incidents reported to them. This situation might have resulted in less complete reporting of offences to the UCR survey, and consequently may have contributed to the decreases in crime during the 1990's. However, the fact that both the more serious crimes (those crimes which are more likely to be recorded by police), as well as the less serious crimes declined over this period, suggests that any change that may have occurred in police reporting practices was not significant.

### Changes in legislation, policies and practices

Changes in legislation, policies and police enforcement practices may also have an impact on police-reported statistics. For instance, where an amendment to the *Criminal Code* creates a new offence or broadens the definition of an existing offence, (e.g., criminal harassment, failure to stop during a police pursuit, offences related to organized crime), the number of incidents reported to police will likely increase.

For certain crimes, the number of offences reported is largely driven by police enforcement. Crimes such as prostitution, drug offences and impaired driving are most often identified through police-enforcement activities, or "proactive" policing, and are rarely reported by the public. Therefore, police enforcement efforts, such as special operations to target these types of crime, will affect official crime statistics.

Other theories that have been advanced to explain the recent declines in the crime rate include: the advent of community policing; increased enforcement and new strategies to reduce the incidence of certain crimes; improvements in case management and new approaches to solving crimes; and, crime prevention. Although each of these factors can certainly have an effect on crime, the magnitude of their impact is difficult to determine.

### Changing demographics and the crime rate

The general decline in crime rates since the early 1990's has coincided with the decreasing proportion of persons aged 15 to 24 during this time period. This age group is characterized by having the highest rates of any age group for both committing crimes, as well as being a victim of crime. In 2000, persons aged 15 to 24 years represented 14% of the total population while accounting for 45% of those charged with property crimes and 31% of persons charged with violent crimes.

Figure 1 shows the trend in overall crime and in the number of 15 to 24 year-olds as rates per 100,000 population. Between 1962 and 1978, both lines show a constant increase: the crime rate climbed 158%, while the rate of 15 to 24 year-olds increased by 34%. However, while crime continued to increase until peaking in 1991, the rate of 15 to 24 year-olds declined. Since 1991, both measures have decreased: the crime rate by 26% and the population 15 to 24 by 6%. In summary, variations in the size of the high-risk age group have had some effect on the crime rate, but the extent of this influence is not clear. To this extent, the Centre has recently undertaken a special study to examine various social and demographic factors that could explain the recent declines in the crime rate, the results of which will be available in 2002.

Figure 1 also shows the growing segment of the population aged 55 and over. In 2000, this age group represented 22% of the population, up from 20% 10 years ago. In contrast to the 15-24 age group, the 55+ age group is characterized by very low involvement in crime, both as accused and as victims<sup>4</sup>. This group is increasing by an average of 2.5% each year, and is projected to grow continuously until 2020.<sup>5</sup>

<sup>1</sup> Besserer, S. and Trainor, C. (2000), "Criminal Victimization in Canada" *Juristat, Catalogue 85-002, Vol. 20, no. 10, pp. 11-12.*

<sup>2</sup> See Gottfredson and Gottfredson, (1988), "Decision-Making in the Criminal Justice System: Toward the Rational Exercise of Discretion", Law, Society, and Policy, vol. 3, New York: Prentice Hall.

<sup>3</sup> Besserer, S. and Trainor, C., (2000), p. 11.

<sup>4</sup> Incident-based UCR Survey, Policing Services Program, Canadian Centre for Justice Statistics.

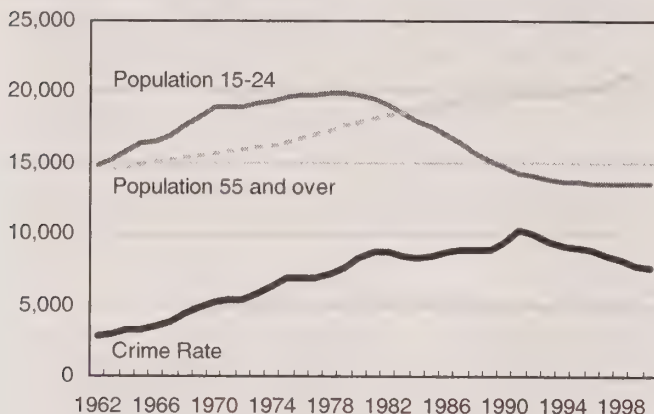
<sup>5</sup> Cansim (on-line), Statistics Canada, Ottawa. Population Projections by Sex and age Group for Canada, matrix 6990. Internet address: <http://www.statcan.ca>.



Figure 1

### Crime Rate and Selected Demographics, Canada, 1962-2000<sup>1</sup>

Rate per 100,000 total population



<sup>1</sup> Note that the population 15-24 and population 55 and over lines refer to changes in the population for these age groups and not changes in crime rates.

Source: Uniform Crime Reporting Survey, CCJS and Annual Demographic Statistics, 2000 Report.

#### Key terminology and definitions

##### Offence or crime

These two terms refer to the number of *Criminal Code* "actual" incidents reported by police to CCJS, excluding traffic offences and other federal statutes such as drug offences, unless noted otherwise. "Actual" incidents are those which have been substantiated through police investigation.

##### Criminal Incident

One incident can include more than one offence. For incidents involving multiple offences, only the most serious offence in the incident is counted. Unless otherwise stated, violent crime counts reflect the number of victims in the incident, whereas non-violent crime counts reflect the number of incidents or occurrences of crime.

##### Crime rate

This is a technique that helps standardize the data for comparisons among geographic areas with different populations and across time, when populations can also vary. Crime rates are based on 100,000 population.

##### Accused Persons

This includes all persons identified by police as having committed a crime as a result of an investigation, whether or not they have been formally charged.

##### Persons charged

This term refers to persons who have been formally charged or recommended to be charged by police.

For more information on the UCR Survey, refer to the Methodology section at the end of this report, and *Canadian Crime Statistics 1999*, Canadian Centre for Justice Statistics, Catalogue 85-205, December 2000.

## 2000 Crime Trends

Of the 2.4 million *Criminal Code* incidents (excluding traffic and drug incidents) reported in 2000 (Table 1), 13% were violent crimes, 53% were property crimes, and 34% were "other"

*Criminal Code* crimes (e.g. mischief, prostitution, arson, bail violations, disturbing the peace). This distribution of police-reported crime is dynamic: the proportion of crimes that are property-related has generally been falling since 1971, when they accounted for 69% of all crimes. At the same time, the proportion that are violent has increased from 9% in 1971.

In addition, there were approximately 117,000 *Criminal Code* traffic incidents (7 out of 10 were impaired driving offences), 88,000 drug incidents and 35,000 other federal statute incidents (e.g. *Excise Act*, *Immigration Act*, *Canada Shipping Act*) reported. In total, police reported 2.6 million federal statute criminal incidents in 2000.

### Lowest crime rate since 1978

After peaking in the early 1990s, Canada's crime rate has been falling steadily. In 2000, the police-reported crime rate (7,655 incidents per 100,000 population) dropped for the ninth consecutive year (-1%), an unprecedented stretch since the UCR survey began in 1962 (Table 2). Over these nine years, the crime rate has decreased by an average of 3% per year, resulting in the 2000 rate being the lowest since 1978 (Table 2). However, the 2000 crime rate is still 47% higher than 30 years ago.

The decrease in the crime rate in 2000 was driven by a 5% drop in property crime. However, the violent crime rate increased by 3% in 2000, primarily due to an increase in assaults. The rate for "other" *Criminal Code* incidents increased by 4%, driven by higher counts of mischief and disturbing the peace.

### Crime rate down in most provinces

There is considerable regional variation in crime rates across Canada (Table 3). Historically, crime rates generally increase from east to west in Canada. Nova Scotia and Alberta are the exceptions to this general trend, with Nova Scotia's crime rate being higher than its neighbouring provinces, while Alberta's is lower.

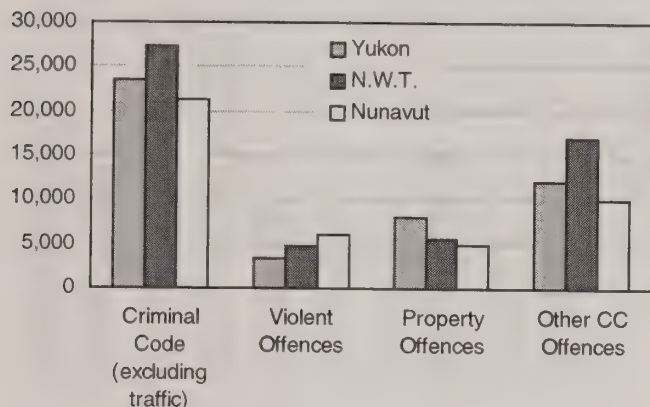
In 2000, provincial crime rates ranged from 5,711 incidents per 100,000 population in Newfoundland to 12,730 in Saskatchewan. All three territories reported crime rates higher than any of the provinces. Among the territories, Nunavut reported the highest violent crime rate (6,074), the Yukon reported the highest property crime rate (8,160), and the Northwest Territories showed the highest rate for other *Criminal Code* offences (16,978) (Figure 2). This latter observation is explained by the fact that the mischief rate in the N.W.T. was nearly double that of the other two territories.

Increases in the overall crime rate in 2000 were reported in four of the ten provinces: Saskatchewan (+5%), Newfoundland (+3%), Quebec (+1%) and Manitoba (+1%), and in all three territories: Yukon (+21%), Nunavut (+17%) and the Northwest Territories (+13%). Ontario, Alberta and British Columbia, accounting for just over 60% of the total Canadian population, reported drops of 1%, 3%, and 3%, respectively, contributing to the overall decline of 1% in the national crime rate. Three of the four Atlantic provinces reported decreases: Nova Scotia (-9%), Prince Edward Island (-5%) and New Brunswick (-4%).

Figure 2

### Crime rates in the Territories, by type of offence, 2000

Rate per 100,000 population



Source: Uniform Crime Reporting Survey, CCJS.

### Crime also down in a majority of census metropolitan areas

In 2000, crime rates declined in six of the nine largest census metropolitan areas (CMAs)<sup>6</sup> (Table 4). These nine CMAs represent nearly half (46%) of all offences reported by police services in Canada. The largest drops were reported in Ottawa<sup>7</sup> (-11%), Calgary (-7%), Vancouver (-3%), and Hamilton (-3%). Increases were observed in Winnipeg (+7%), Québec (+5%), and Montréal (+1%).

Most of the other metropolitan areas, which had populations between 100,000 and 499,999, also reported declines, the largest being in Saint John (-12%) and Victoria (-11%) (Table 5). The largest increase was seen in Saskatoon (+11%), followed by St. John's (+10%) and Windsor (+7%).

Among all 25<sup>8</sup> CMAs, the lowest crime rates were reported in Chicoutimi-Jonquière (5,104 incidents per 100,000 population), Québec (5,108), Trois-Rivières (5,207) and Toronto (5,290). Although down slightly in 2000, Regina had the highest crime rate (14,769) for the sixth consecutive year, followed by Saskatoon (12,891), Vancouver (11,210), Victoria (10,594) and Winnipeg (10,377).

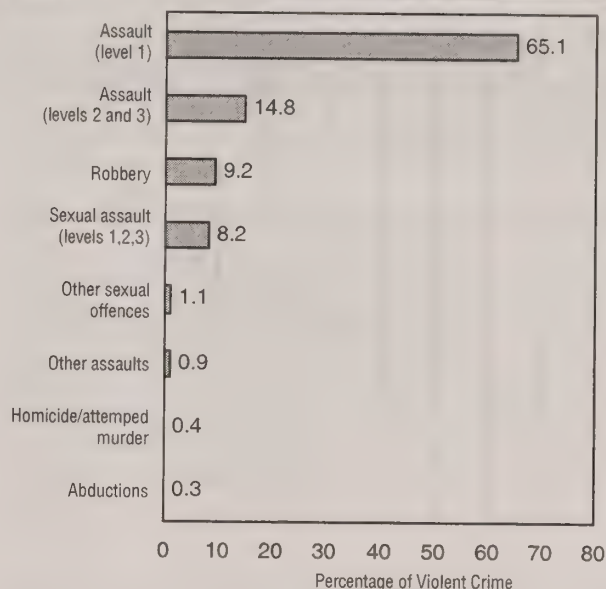
### Crime is also falling in other industrialized countries

Other industrialized countries have also experienced declines in their crime rates over the past few years. According to the Federal Bureau of Investigation, the preliminary 2000 indexed crime rate in the United States dropped for the ninth year in a row, but only slightly (-0.3%), including a 0.3% decrease in both violent crime and property crime. Of the eight crimes included in the index, four decreased in 2000 (murder, robbery, burglary and arson), and four increased (forcible rape, aggravated assault, larceny-theft and motor vehicle theft).

Reported crime in England and Wales has also fallen annually since 1992, including a very small decrease (-0.2%) in total criminal incidents between October 1999 and September 2000.<sup>9</sup> Total violent criminal incidents, however, rose by 8%, while the number of property crime incidents declined 1%.

Figure 3

### Violent Crime, by category, Canada, 2000



Source: Uniform Crime Reporting Survey, CCJS.

## Violent Crime

### Violent crime increases after seven years of decline

Violent crime incidents (numbering 301,875 in 2000) include homicide, attempted murder, assault, sexual assault, other assaults, other sexual offences, abduction and robbery (Figure 3). The national violent crime rate increased 3% between 1999 and 2000 following seven consecutive years of

<sup>6</sup> A CMA refers to a large urban core (over 100,000 population) together with adjacent urban and rural areas that have a high degree of economic and social integration. The areas that police forces serve may differ in their mix of urban/suburban populations, making the comparability of crime rates among these forces difficult. This lack of comparability is addressed by analyzing crime rates by CMA. Usually, more than one police force is responsible for enforcing the law within the boundaries of a CMA.

<sup>7</sup> "Ottawa" in this report refers to the Ontario portion of the Ottawa-Hull CMA.

<sup>8</sup> The Oshawa Census Metropolitan Area (CMA) is excluded from this analysis due to incongruity between the police agency jurisdictional boundaries and CMA boundaries.

<sup>9</sup> See Povey, D., et al, Recorded Crime Statistics, England and Wales, Home Office, England, January 2001. This annual report is based on the 12 months ending September 2000 and the percentage change figures are based on the actual numbers of incidents and not rates.



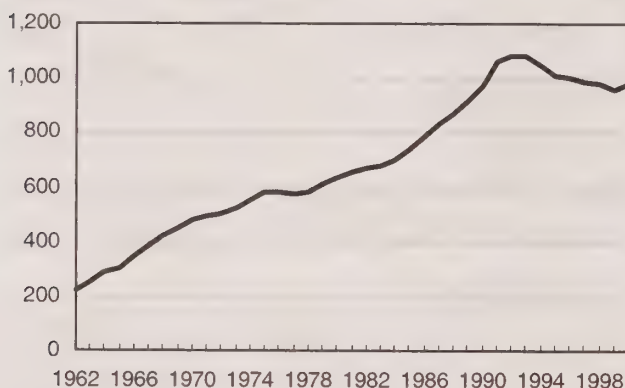
declines. Prior to these declines, the violent crime rate had increased for 15 straight years (Figure 4).

The 2000 violent crime rate is about the same as a decade ago, 54% higher than 20 years ago, and more than double the rate of 30 years ago. However, if common assaults (the least serious form of assault, which accounts for more than 6 in 10 violent crimes) were excluded, the violent crime rate would actually be 15% lower than 10 years ago.

Figure 4

#### Violent Crime rate, Canada, 1962-2000

Rate per 100,000 population



Source: Uniform Crime Reporting Survey, CCJS.

Six of the ten provinces reported an increase in violent crime: Quebec (+8%), Prince Edward Island (+5%), Manitoba (+4%), Saskatchewan (+4%), Ontario (+4%) and Newfoundland (+1%). All other provinces showed small drops, with the largest being in British Columbia (-2%).

Violent crime rates in the west were much higher than in the rest of the country (Figure 5). Saskatchewan (1,663 violent incidents per 100,000 population) and Manitoba (1,638) reported the highest rates. All three territories had violent crime rates in 2000 that were at least double that of the highest province (Table 3). Quebec and Prince Edward Island (with rates of 718 and 719, respectively) continued to report the lowest violent crime rates, a pattern consistent with previous years.

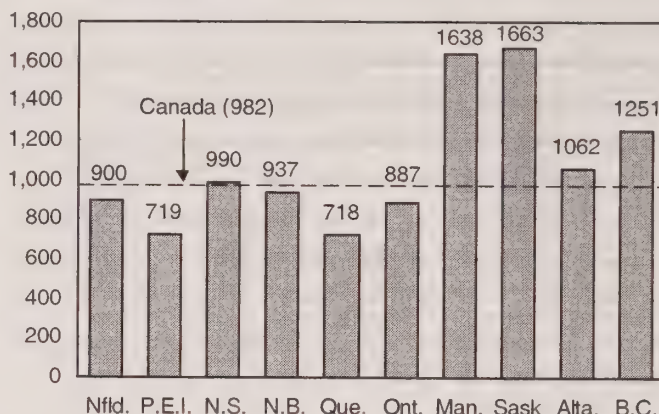
Nine CMAs recorded a decrease in their violent crime rate in 2000, with the largest reported in Victoria (-12%). The largest increases in the violent crime rate in 2000 were in Hull (+18%), Halifax (+12%), Saskatoon (+11%), Québec (+11%) and Winnipeg (+10%).

Despite a 7% decline, Regina reported the highest violent crime rate (1,590 violent incidents per 100,000 population) for the second consecutive year, followed by Saskatoon (1,485) and Thunder Bay (1,384). Thunder Bay had shown the highest violent crime rate from 1991 to 1998. The lowest violent crime rates were reported in Sherbrooke (438) and Trois-Rivières (456).

Figure 5

#### Violent crime, Canada and the provinces, 2000

Rate per 100,000 population



Source: Uniform Crime Reporting Survey, CCJS.

Among the nine largest CMAs, Winnipeg (1,356) and Vancouver (1,107) reported the highest violent crime rates in 2000, while Québec (514) and Ottawa (690) reported the lowest (Table 5).

#### Attempted murder incidents increase in 2000

Homicide includes first and second-degree murder, manslaughter, and infanticide. In 2000, there were 542 homicides and 766 attempted murders. Together these crimes account for less than a half of one percent of reported violent incidents. The homicide rate has generally been declining since the mid-1970s. In 2000, there were four more homicides than the previous year, resulting in a rate of 1.8 homicides per 100,000 population, virtually the same as in 1999. The rate for attempted murder increased by 11% in 2000, the largest single year-over-year increase in the attempted murder rate since 1991. Figure 6 clearly illustrates the parallel trend over the past 10 years between homicides and attempted murders.

The homicide rate increased in all provinces except British Columbia (-23%), Alberta (-6%) and Ontario (-6%). Among the provinces, Manitoba (2.6 homicides per 100,000 population) and Saskatchewan (2.5) had the highest rates and Newfoundland the lowest (1.1). Both Nunavut (10.8) and the Yukon (6.5) each reported higher rates than any of the provinces.

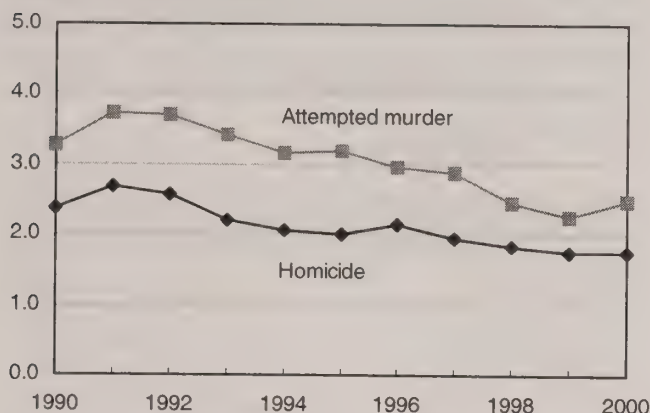
In 2000, the homicide rate dropped in 11 CMAs. The highest rates were found in Regina (3.5), Saskatoon (3.0), Trois-Rivières (2.8), Chicoutimi-Jonquière (2.8) and Sherbrooke (2.6). The lowest homicide rates were found in Hull (0.4), London (0.5), Sudbury (0.6), Saint John (0.7) and Thunder Bay (0.8).<sup>10</sup>

<sup>10</sup> For further information, see Federowycz, O., "Homicide in Canada, 2000", *Juristat, Catalogue 85-002*, (scheduled for release in October, 2001).

Figure 6

### Homicide and attempted murder incidents, Canada, 1990-2000

Rate per 100,000 population



Source: Uniform Crime Reporting Survey, CCJS.

### Sexual assault rate stable

Sexual assault is classified into one of three levels according to the seriousness of the incident: level 1 sexual assault (the category of least physical injury to the victim); level 2 sexual assault (with a weapon, threats to use a weapon, or causing bodily harm); and, level 3 aggravated sexual assault (wounds, maims, disfigures or endangers the life of the victim). Sexual assaults accounted for less than 1 in 10 violent crimes in 2000. The vast majority (98%) of the 24,049 reported incidents of sexual assault were classified by police as level 1 (Table 1).

The rate for all sexual assaults remained stable in 2000 (at 78 per 100,000 population), following six consecutive years of decline. The 2000 rates for the two most serious levels of sexual assault were down compared to the previous year, while the 2000 rate for level 1 sexual assaults remained unchanged relative to 1999. Sexual assault with a weapon (level 2) declined 17% and aggravated sexual assault dropped by 15%. Since 1993, however, the rates for all three levels of sexual assault have declined by between 35 and 60%.

Rates of sexual assault declined in 12 CMA. The highest rates of sexual assault were reported in Saskatoon (135 sexual assaults per 100,000 population) and Saint John (125). The lowest rates were in Sherbrooke (33) and Québec (39).

### Assaults on the increase in 2000

The largest category of violent crime is assault. The *Criminal Code* defines several categories of assault: common assault (level 1), assault with a weapon or causing bodily harm (level 2), aggravated assault (level 3), and other assaults (i.e., assault on a peace officer, unlawfully causing bodily harm, discharge of firearm with intent and all other assaults).

In 2000, police recorded 233,517 incidents of assault levels 1, 2 and 3 (Table 1). After four years of stability, and a small decline in 1999 (-2%), the rate of assaults increased by 5% in 2000. This increase was mainly due to a 4% increase in the rate of common assault, which accounts for just over 8 in 10 assaults, and 6 in 10 reported violent incidents. It is clear that common assault has a large impact on the total rate of violent crime because of its magnitude. This offence includes behaviours such as pushing, slapping, punching, and threats by an act or gesture. The rate for assaults with weapons (level 2) increased by 7%, while aggravated assaults (level 3) remained stable.

The rate of assault (levels 1, 2 and 3) increased in the majority of the CMAs. As in previous years, Regina (1,264 assaults per 100,000 population) and Thunder Bay (1,155) reported the highest rates and Trois-Rivières (288) and Sherbrooke (301) reported the lowest.

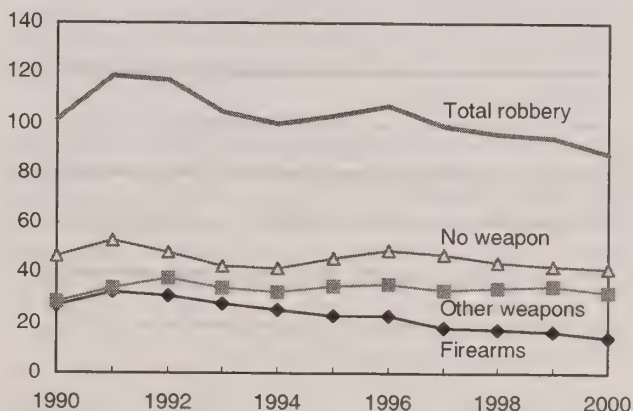
### Firearm and other robberies continue to decline

The 27,012 robberies in 2000 accounted for less than 1 in 10 of all violent crimes. The rate for all robberies decreased for the fourth consecutive year in 2000, with a 7% decline (Figure 7). Consistent with the overall trend in the crime rate, the total rate for robbery has generally been declining since 1991. Rates of robberies involving the use of a firearm and those with no weapon have been decreasing since 1996. Rates for robberies with other weapons, such as knives, had increased in 1998 and 1999, but declined in 2000.

Figure 7

### Robbery incidents by type, Canada, 1990-2000

Rate per 100,000 population



Source: Uniform Crime Reporting Survey, CCJS.

Similar to previous years, there were large differences among the CMAs in rates of robbery, with the highest reported in Winnipeg (251) and Saskatoon (205) and the lowest in St. John's (22) and Chicoutimi-Jonquière (23).



Compared to other violent crimes, robbery is more likely to involve youths. In 2000, 34% of persons charged with robbery were youths, compared with only 15% of persons charged with all other violent crimes.

### Criminal harassment incidents on the rise

Data on criminal harassment are only available from those police services providing data to the UCR2 survey. In order to permit trend analysis, a separate UCR2 Trend Database has been created for a subset of all respondents who have been reporting data to this survey since 1995.<sup>11</sup>

In 2000, police services representing 41% of the national volume of crime reported 6,249 incidents of criminal harassment. The number of these incidents has been increasing since 1996, when only 4,072 were reported. It is difficult to determine if this 53% increase represents a real increase in stalking behaviour or is, in part, reflective of the increased awareness of this relatively new offence and its potential seriousness.

These figures represent all offences of criminal harassment, regardless of whether or not it was the most serious offence committed in an incident with multiple offences.

## Property Crime

### Property crime rate continues to drop

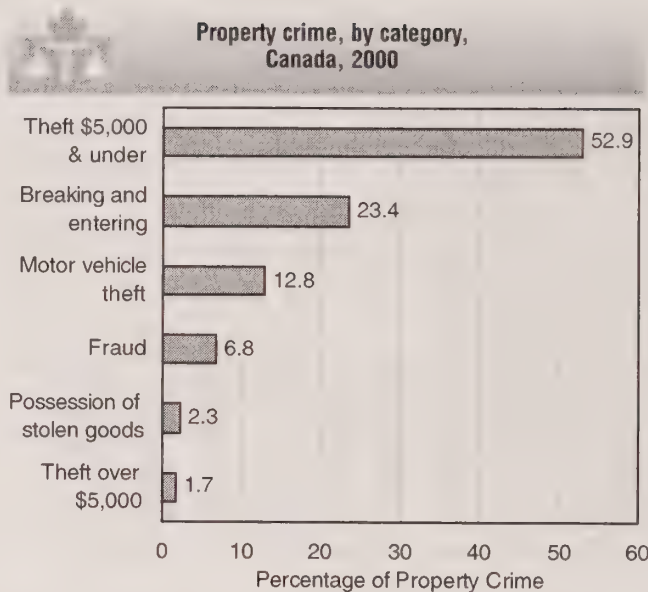
Property crime incidents involve unlawful acts with the intent of gaining property but do not involve the use or threat of violence. Theft, breaking and entering, fraud and possession of stolen goods are among the most frequently reported property crimes (Figure 8). In 2000, there were approximately 1.3 million property crime incidents reported by police. The rate for these crimes has generally been decreasing since 1991, including a 5% drop in 2000. All categories contributed to this decline, particularly theft and break and enter. The 2000 property crime rate was the lowest recorded by police services since 1973.

With the exception of Saskatchewan (+2%), rates of property crime dropped in all provinces in 2000. The largest drops occurred in Nova Scotia (-11%), Alberta (-7%), British Columbia (-6%) and Ontario (-5%). (Table 3). Despite decreases in property crimes over the last four years, British Columbia continues to show the highest property crime rate (6,359 incidents per 100,000 population) among the provinces (Figure 9). Newfoundland reported the lowest rate (2,411), followed by New Brunswick (2,876) and Prince Edward Island (2,972).

In the Yukon and Nunavut, the property crime rate increased substantially between 1999 and 2000, (+15% and +14%, respectively), while the Northwest Territories reported a 2% decline (Table 3).

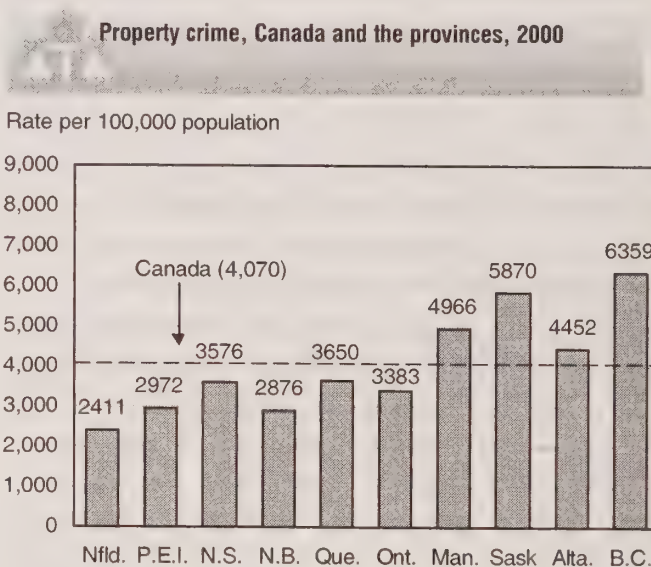
Sixteen CMAs reported a decrease in their property crime rate in 2000. Regina reported the highest property crime rate (8,414) followed by Vancouver (7,263), while Saint John (2,836) and Toronto (2,939) reported the lowest.

Figure 8



Source: Uniform Crime Reporting Survey, CCJS.

Figure 9



Source: Uniform Crime Reporting Survey, CCJS.

<sup>11</sup> The UCR2 Trend Database represents a sub-set of all respondents who have been providing UCR2 data for the past six years to enable the analysis of trends in the characteristics of accused, victims and, criminal incidents. The 2000 Trend Database contains 106 police services, representing 41% of the national volume of crime. The entire 2000 UCR2 Database contains 166 police services, representing 53% of the national volume of crime.

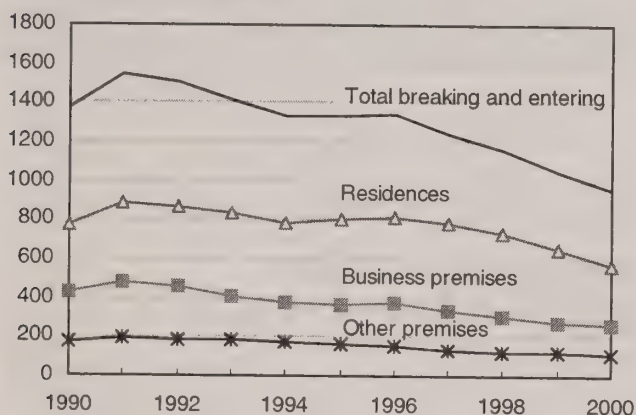
## Another large drop in break-ins

In total, there were 293,416 reported incidents of breaking and entering (B&E) in 2000, representing nearly one-quarter of all property crimes. B&E rates have generally been falling since 1991, including a 9% decrease in 2000 (Table 1 and Figure 10). Given the number of B&Es, a decrease of this magnitude has an impact on the total property crime rate as well as on the overall crime rate. Almost four in ten persons charged with this offence were youths (Table 6).<sup>12</sup>

Figure 10

### Breaking and entering incidents, by type, Canada, 1990-2000

Rate per 100,000 population



Source: Uniform Crime Reporting Survey, CCJS.

The majority (60%) of B&Es in 2000 occurred at private residences. Businesses accounted for a further 28%, with the remaining 12% including other places such as sheds and storage facilities. Decreases in all three categories contributed to the general decline in B&E rates: residential B&Es dropped 12%; commercial B&Es declined 3%; and, "other" B&Es decreased by 5%.

The 2000 rate of residential B&E decreased in all CMAs except Thunder Bay (+57%), Windsor (+12%), St. John's (+4%), Saint John (+2%) and Hull (where the rate remained virtually unchanged). The highest rates of residential B&Es were reported by Regina (1,260) and Saskatoon (1,039), while the lowest rates were in Toronto (324) and Calgary (422).

According to the Insurance Information Centre of Canada<sup>13</sup>, the average claim by home-owners and tenants for losses through B&E amounted to \$2,499 in 1999-2000 and the average claim for commercial businesses amounted to \$4,954. In total, property losses associated with B&Es cost the insurance industry about \$296 million in 1999-2000.

## Motor vehicle thefts decline for the fourth year in a row

Motor vehicle theft accounted for a little more than 1 in 10 property crimes in 2000 (160,268 incidents). After steady

growth for over a decade, the rate of motor vehicle theft decreased for the fourth consecutive year in 2000 (-2%) (Figure 11). The current rate, however, is still much higher (+27%) than ten years ago.

The most recent data available from the insurance industry shows a decrease in auto theft of 5% from 1998 to 1999<sup>14</sup>, compared to a 3% decrease as reported by the police for the same period.

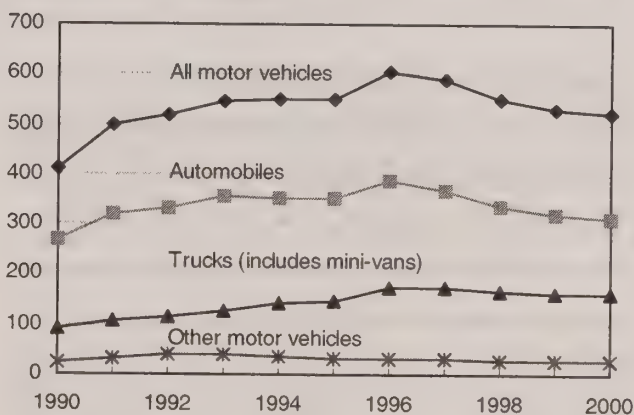
Over the past decade, there has been a large increase in the number of "trucks" stolen, a category which includes mini-vans and sport-utility vehicles. This is not surprising given that the number of mini-vans and sport-utility vehicles on the road increased 78% between 1995 and 1999, while the total number of vehicles on the road grew by 22% over the same period.<sup>15</sup> In 2000, the rate for the theft of trucks dropped for the third year in a row (-1%), after having increased for the previous 15 years.

Currently, the most common vehicles stolen are relatively new (less than 5 years old) sport utility and luxury cars.<sup>16</sup>

Figure 11

### Motor vehicle theft incidents, by type of vehicle, Canada, 1990-2000

Rate per 100,000 population



Source: Uniform Crime Reporting Survey, CCJS.

<sup>12</sup> For further information, see Kowalski, M., (2000), "Break and Enter, 1999", Juristat, Catalogue 85-002, Vol. 20, No. 13.

<sup>13</sup> Insurance Information Centre of Canada, (special request data). Members of the Insurance Information Centre of Canada represent about 80% of the total insurance industry. The data provided are based on the period of October 1<sup>st</sup> 1999 to September 30<sup>th</sup> 2000.

<sup>14</sup> Ibid. The data provided are based on the normal, calendar year, from January 1<sup>st</sup> to December 31<sup>st</sup>. The police reported (UCR survey) figure relates to actual incidents.

<sup>15</sup> Vehicle Information Centre of Canada, (special request, data from 1995 to 1999).

<sup>16</sup> For more information, see the Insurance Council of Canada, (2000), "Facts of the General Insurance Industry in Canada".



Along with the decrease recorded at the national level, the rate of motor vehicle thefts declined in the majority (15) of CMAs. Regina reported the highest rate (1,594 incidents per 100,000 population), followed by Winnipeg (1,425). The lowest rates were reported by Saint John (109) and St. John's (187). Theft of vehicles and their components cost Canadian consumers about \$600 million in insurance premiums in 1998.<sup>17</sup>

As with incidents of breaking and entering, motor vehicle theft is a crime associated with young offenders. In 2000, 41% of persons charged with motor vehicle theft were youths aged 12 to 17 years, compared to only 20% of persons charged with all other *Criminal Code* offences (Table 6).

### Thefts account for over half of all property crime

In 2000, the 683,997 incidents of theft (excluding motor vehicle thefts and property stolen in the course of break-ins) accounted for almost one-third of all *Criminal Code* incidents and over one-half (55%) of property crimes. As a result, any large variation in thefts will have a marked influence on the property crime rate as well as the overall crime rate. The 2000 theft rate was 3% lower than the previous year and has generally been declining since 1991, similar to the overall trend in property crime.

Of all thefts reported to police in 2000, 39% were thefts from motor vehicles, 12% were shoplifting, 8% were bicycle thefts, and 39% were in the category of "other" types of theft. Decreases were reported for all these types of theft in 2000, with the exception of "other" types of theft.

## Other Criminal Code Incidents

The 800,384 *Criminal Code* crimes that are not in the violent or property crime categories are reported under the category "Other *Criminal Code*". These crimes account for one-third of all *Criminal Code* incidents and include such crimes as mischief, weapons offences, prostitution, arson, counterfeiting, bail violations and disturbing the peace (Figure 12).

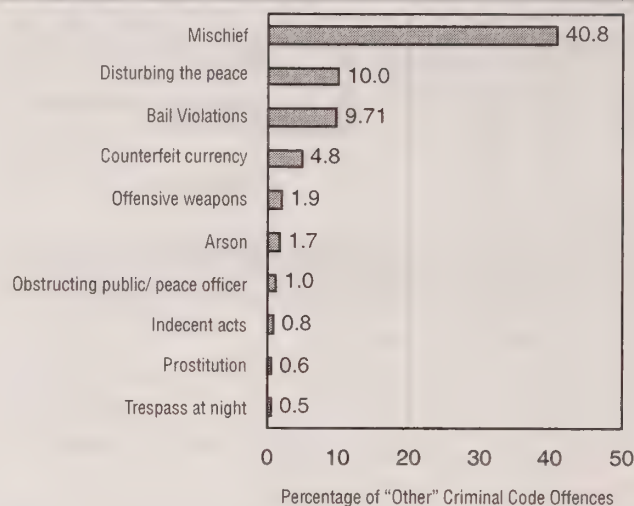
### Offensive weapons crimes decrease

The new *Firearms Act*, adopted by Parliament in 1995, began its gradual introduction in 1998. To better respond to information needs of this new law, four new categories of criminal offences related to offensive weapons have been created in the UCR survey to replace the previous categories: illegal use of a firearm or replica; illegal possession of a weapon; weapon importation, exportation and trafficking; and, a category for all other offences related to weapons. This latter category includes offences related to non-secure storage, documentation and administration of firearms, as well as all other *Criminal Code* firearm and other offensive weapons<sup>18</sup>.

The categories of "other" weapons offences and "illegal possession" of weapons accounted for the great majority (85%) of these offences, followed by illegal firearms usage (14%), and importation/exportation/trafficking offences (1%). The 15,306 offensive weapons crimes reported by police in 2000 were 5% lower than the previous year.

Figure 12

### Selected "Other" Criminal Code offences, by category, Canada, 2000



Source: Uniform Crime Reporting Survey, CCJS.

### Mischief rate increases in 2000

The 326,369 mischief incidents (including vandalism) reported by police accounted for 14% of total *Criminal Code* crimes and 41% of "other" *Criminal Code* incidents. The general decline in the rate of mischief incidents since 1991 halted in 2000, with a 4% increase relative to 1999 (Table 1). Consistent with previous years, youths aged 12 to 17 years comprised one-third of persons charged with this offence in 2000 (Table 6).

### Criminal Code Traffic Incidents

In 2000, the rate of *Criminal Code* traffic crimes dropped slightly (-1%). Police reported 117,060 *Criminal Code* traffic incidents in 2000 (Table 1). Impaired driving accounted for 72% of these incidents, failure to stop and/or remain at the scene of an accident accounted for 17%, and dangerous driving and driving while prohibited comprised the remaining 11%.

### Impaired driving offences decline in 2000

Impaired driving offences include impaired operation of a motor vehicle, boat or aircraft causing death or bodily harm; driving with over 80 mg of alcohol per 100 ml of blood; and, failing to provide a breath and/or blood sample when requested by a police officer. In 2000, police charged 69,192 persons with impaired driving, a drop of 5% relative to 1999.<sup>19</sup> This decline follows two years of stability in 1998 and 1999 (Figure 13).

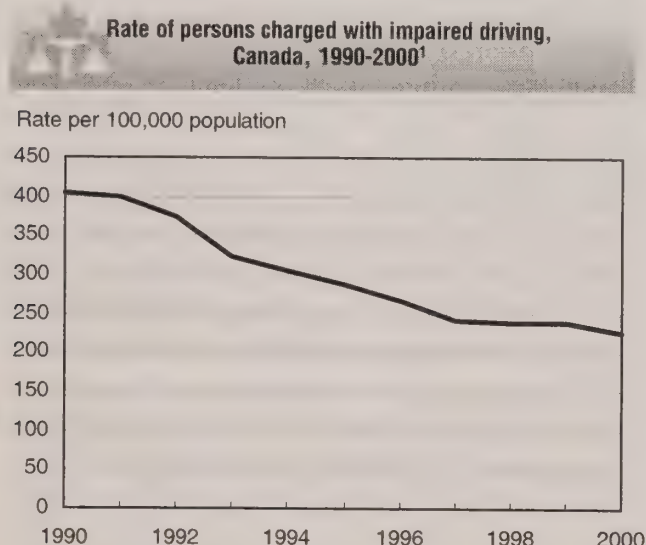
<sup>17</sup> Ibid.

<sup>18</sup> Refer to Part III, (Firearms and Other Weapons), of the *Criminal Code of Canada* and Sections 106 to 114 of the *Firearms Act* for exact definitions and conditions.

<sup>19</sup> Note that impaired driving numbers in Table 1 refer to the "actual" number of incidents, while the analyses in this section uses "persons charged" with impaired driving offences.

While the number of road-side checks by police has an influence on the number of persons charged with impaired driving, it is not sufficient on its own to explain the general decline in persons charged with impaired driving observed since 1983. Part of the decline could be attributed to a growing tendency by police to issue a road-side suspension (rather than laying a charge) to drivers found to have a blood-alcohol reading slightly above the legal limit.<sup>20</sup> Other factors that, no doubt, have contributed to the decline in impaired driving are the changing attitudes of drivers and the public through numerous programs sensitizing drivers to the dangers of drinking and driving and increasingly severe penalties for drinking and driving from the criminal justice system.<sup>21</sup>

Figure 13



<sup>1</sup> These data are based on "persons charged by police". The data shown in Table 2 are based on "actual" incidents of impaired driving.

Source: Uniform Crime Reporting Survey, CCJS.

## Drugs

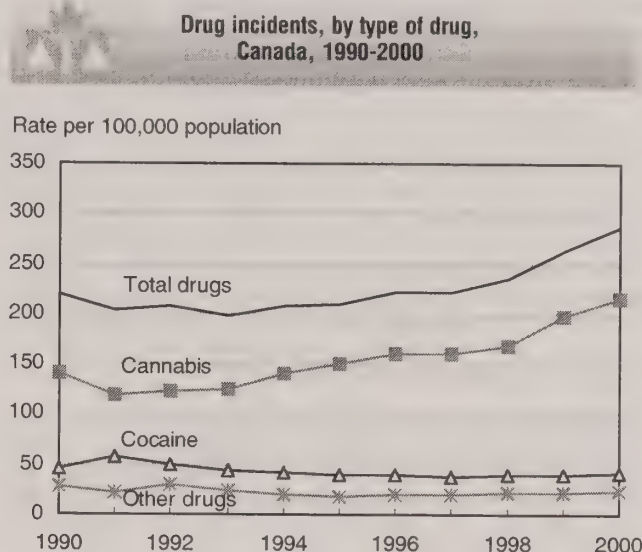
### Increase in most drug categories

In 2000, a total of 87,945 incidents related to the *Controlled Drugs and Substances Act* (CDSA) were reported by Canadian police services. It should be noted that police-reported drug statistics tend to reflect the level of police enforcement more so than the actual demand on the street for illegal drugs.

Fuelled by an increase in the rate of cannabis-related offences (+9%), the rate of drug offences increased 9% in 2000 (Table 1). With the exception of heroin-related offences, all of the major drug categories increased in 2000. This latest rise in drug incidents continues the upward trend that began in 1994 (Figure 14). Cannabis offences accounted for three-quarters of all drug-related incidents reported in 2000, of which 68% were for possession, 16% for trafficking, 14% for cultivation, and 2% for importation. It should be noted that, in 10% of incidents where possession of cannabis was the most serious

offence reported by police, other offences were also present in these incidents. The most common of these other offences were possession of other illegal drugs (excluding heroin and cocaine), breach of probation, bail violation and obstructing a peace-public officer.

Figure 14



Source: Uniform Crime Reporting Survey, CCJS.

The illegal cultivation of cannabis, particularly in cases where it is being grown without landowners' consent, has recently become an important issue. This type of offence has also seen an increase over the past decade: from a rate of 5 incidents per 100,000 population in 1990 to 29 in 2000.

The rate of cocaine offences increased by 6% and heroin offences dropped by 8%. The rate for all other types of drugs increased (+12%) for the fourth consecutive year.<sup>22</sup>

The proportion of youths accused of drug offences decreases with the seriousness of the type of drug offence: in 2000, 20% of persons charged with possession of cannabis were youths 12-17 years of age, compared to only 6% of persons charged with trafficking of cocaine.

## Youth Crime

### Measuring youth crime

Since the enactment of the *Young Offenders Act* in 1984, a growing number of youth have been diverted from the formal justice system by some form of alternate action rather than the laying of a charge. In effect, this law prescribes certain

<sup>20</sup> For further information, see Sauvé, J., (1999), "Impaired Driving in Canada, 1998", *Juristat*, Catalogue 85-002, Vol. 19, No. 11.

<sup>21</sup> Ibid.

<sup>22</sup> For further information, please see Tremblay, S., (1999), "Illicit Drugs and Crime", *Juristat*, Catalogue 85-002, Vol. 19, No. 1.



conditions for admissibility to an alternative measures (AM) program, with the objective of avoiding court proceedings for young persons. In addition, when dealing with first-time offenders involved in minor incidents, police may choose to deal with a youth informally by giving a warning or discussing the incident with the youth's parents.

One advantage of AM programs is that they avoid interactions with "normal" judicial proceedings and correction systems that may have more negative than positive consequences, including "labelling" young individuals as "offenders" and reinforcing a "criminal" self-perception in the individual.<sup>23</sup>

Depending on the province, AM can be used at the pre- or post-charge stage. Consequently, the number of youths charged by police is influenced by the approach used by each police service and each province.<sup>24</sup> It is clear that the rate of youths charged is not a perfect indicator of youth crime, particularly with respect to measuring relatively minor offences committed by first-time offenders, and readers are cautioned against making comparisons among provinces and territories.

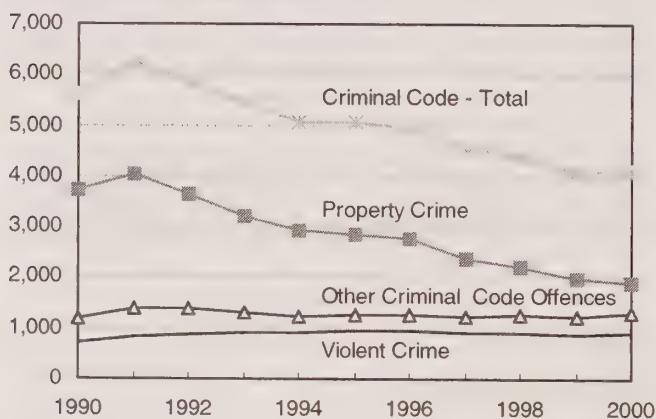
### Slight increase in youth crime

The rate of youths aged 12 to 17 charged with criminal offences increased slightly (+1%) in 2000, after having decreased in the previous eight years. Similar to the trend for all crimes, the rate of youths charged with property crimes decreased (-4%) while increases were seen for youth violent crime (+7%) and other *Criminal Code* offences (+6%).

Figure 15

#### Youth charged, by type of offence Canada, 1990-2000

Rate per 100,000 youths aged 12 - 17



Source: Uniform Crime Reporting Survey, CCJS.

Property crimes accounted for nearly one-half (46%) of youth crime, compared to only 33% of adult crime. A further 22% of youths were charged with violent crimes, compared to 31% of adults. This distribution has changed from a decade ago when only 12% of youths were charged with violent crimes and 66% were charged with property crimes. Increases in youths charged with common assault (level 1) and decreases in charges for theft and breaking & entering account for much of this shift. The remaining 32% of youths were charged with other *Criminal Code* offences, such as mischief and offences against the administration of justice (e.g. bail violations or escapes from custody).

### Rate of youths charged with violent crime increases

In 2000, the rate of youths charged with violent crime increased 7%, after four straight years of decline. This was also the largest year-over-year increase since 1991 (Table 7). The 2000 youth violent crime rate is 33% higher than 10 years ago (Figure 15).

Nearly all categories of youth violent crime increased in 2000: sexual assault (+18%), assault (+7%), and robbery (+2%). The rate of youths charged with homicide, however, dropped in 2000 (-9%). A total of 41 youths, aged 12 to 17 years were charged with homicide, 4 less than in 1999. Between 1990 and 2000, the number of youths charged with homicide ranged from a low of 36 in 1993 to a high of 68 in 1995. On average, 51 youths per year were charged with homicide over the past 10 years.<sup>25</sup>

In recent years, concern has been raised about increasing violence among females, particularly young females. Over the last decade, the increase in the rate of female youths charged with violent crimes (+61%) was more than double that for male youths (+25%) (Figure 16). In 2000, however, the rate of female and male youths charged with violent crimes each increased by about the same amount. The rate of male youths charged with violent crime (1,342 per 100,000 population) is still almost three times that of female youth (481 per 100,000 population).

The rate of youths charged with property crimes dropped for the ninth straight year in 2000 (-4%). The rate of youths charged declined for two of the three major property crime categories, including breaking and entering (-6%) and other theft (-7%), but increased slightly for motor vehicle theft (+3%).

<sup>23</sup> For further information, please see Engler, C. and Crowe, S., (2000), "Alternative Measures in Canada, 1998-99", *Juristat, Catalogue 85-002*, Vol. 20, No. 6, and MacKillop, B., (1999), "Alternative Measures in Canada, 1998", *Canadian Centre for Justice Statistics, Catalogue 85-545*.

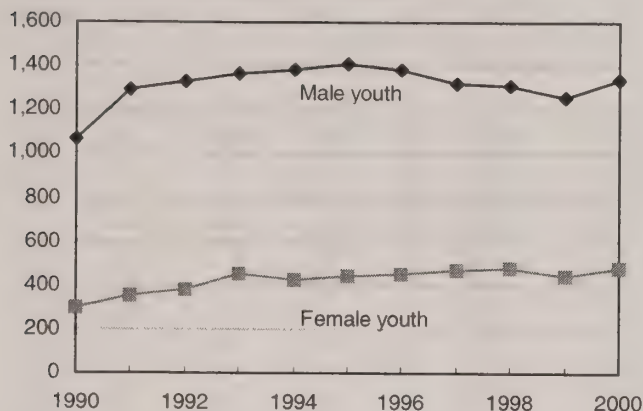
<sup>24</sup> For further information, please refer to Stevenson, K. et al, (Besserer, S., editor), (1998), "A Profile of Youth Justice in Canada," *Canadian Centre for Justice Statistics, Catalogue 85-544*.

<sup>25</sup> For further information, please see Savoie, J., (1999), "Youth Violent Crime in Canada", *Juristat, Catalogue 85-002*, Vol. 19, No. 13.

Figure 16

### Youths Charged with Violent Offences, by Gender, Canada, 1990-2000

Rate per 100,000 youth aged 12-17 years



Source: Uniform Crime Reporting Survey, CCJS.

## Methodology

### The Uniform Crime Reporting Survey

The Uniform Crime Reporting (UCR) Survey was developed by Statistics Canada with the co-operation and assistance of the Canadian Association of Chiefs of Police. The survey, which became operational in 1962, collects crime and traffic statistics reported by all police agencies in Canada. UCR survey data reflect reported crime that has been substantiated through police investigation.

Currently, there are two levels of detail collected by the UCR survey:

#### 1. Aggregate UCR Survey

The aggregate UCR survey records the number of incidents reported to the police. It includes the number of reported offences, actual offences, offences cleared by charge or cleared otherwise, persons charged (by sex and by an adult/youth breakdown) and those not charged. It does not include victim characteristics. Unless otherwise mentioned, all analysis in this report is based on aggregate survey counts.

The aggregate UCR survey classifies incidents according to the most serious offence in the incident (generally the offence that carries the longest maximum sentence under the *Criminal Code* of Canada). In categorizing incidents, violent offences always take precedence over non-violent offences. As a result, less serious offences are under-represented by the UCR survey.

The aggregate UCR survey scores violent incidents (except robbery) differently from other types of crime. For violent crime, a separate incident is recorded for each victim (i.e. if one person assaults three people, then three incidents are recorded; but if three people assault one person, only one incident is recorded). Robbery, however, is counted as if it were a non-violent crime in order to avoid inflating the number of victims (e.g. for a bank robbery, counting everyone present in the bank would result in an over-counting of robbery incidents). For non-violent crimes, one incident (categorized according to the *most serious offence*) is counted for every distinct or separate occurrence.

#### 2. Incident-based Uniform Crime Reporting (UCR2) Survey

The incident-based UCR2 survey captures detailed information on individual criminal incidents reported to police, including characteristics of victims, accused persons and incidents. Police forces switch over from the aggregate to the incident-based survey as their information systems become capable of providing this level of detail.

In 2000, detailed data were collected from 166 police services in 9 provinces through the UCR2 survey. These data represent 53% of the national volume of reported actual *Criminal Code* crimes. The incidents contained in the 2000 database were distributed as follows: 35% from Quebec, 33% from Ontario, 11% from Alberta, 6% from British Columbia, 6% from Manitoba, 5% from Saskatchewan, 2% from Nova Scotia, 1% from New Brunswick, and 1% from Newfoundland. Other than Quebec, the data are primarily from urban police departments. The reader is cautioned that these data are not geographically representative at the national level. Continuity with the UCR aggregate survey data is maintained by a conversion of the incident-based data to aggregate counts at year-end.

The UCR2 Trend Database contains historical data, which permits the analysis of trends in the characteristics of the incidents, accused and victims, such as weapon use and victim/accused relationships. This database currently includes 106 police services who have reported to the UCR2 survey constantly since 1995. These respondents accounted for 41% of the national volume of crime in 2000. This list of respondents will remain unchanged until such time as large police services such as the RCMP and OPP have been providing at least 5 years of data to the UCR2 survey, at which point they will become part of this trend database.

In this report, the term "crime rate" excludes *Criminal Code* traffic violations as these data have proven to be volatile over time, as a result of changes in police procedures that allow for some traffic violations to be scored under either a provincial statute or the *Criminal Code* (e.g. failure to stop or remain at an accident). Other federal statutes such as drug offences are also excluded.



Table 1

# Federal Statute Incidents Reported to Police, by Most Serious Offence, Canada, 1996-2000<sup>1</sup>

	1996		1997		1998		1999 <sup>2</sup>		2000		% change in rate <sup>*</sup> 1999-2000	% change in rate <sup>*</sup> 1996-2000
	Number	Rate	Number	Rate	Number	Rate	Number	Rate	Number	Rate		
<b>Population</b>	<b>29,671,892</b>		<b>29,987,214</b>		<b>30,247,949</b>		<b>30,493,433</b>		<b>30,750,087</b>			
Homicide	635	2.1	586	2.0	558	1.8	538	1.8	542	1.8	-0.1	-17.6
Attempted murder	878	3.0	865	2.9	745	2.5	687	2.3	766	2.5	10.6	-15.8
<b>Assaults - Total</b>	<b>219,919</b>	<b>741.2</b>	<b>222,397</b>	<b>741.6</b>	<b>223,926</b>	<b>740.3</b>	<b>221,348</b>	<b>725.9</b>	<b>233,517</b>	<b>759.4</b>	4.6	2.5
Level 1	181,545	611.8	183,087	610.6	183,999	608.3	181,330	594.7	190,350	619.0	4.1	1.2
Level 2-Weapon	35,626	120.1	36,665	122.3	37,302	123.3	37,501	123.0	40,600	132.0	7.4	10.0
Level 3-Aggravated	2,748	9.3	2,645	8.8	2,625	8.7	2,517	8.3	2,567	8.3	1.1	-9.9
Other assaults	12,171	41.0	11,807	39.4	12,147	40.2	12,126	39.8	12,133	39.5	-0.8	-3.8
<b>Sexual assaults - Total</b>	<b>27,026</b>	<b>91.1</b>	<b>27,013</b>	<b>90.1</b>	<b>25,553</b>	<b>84.5</b>	<b>23,859</b>	<b>78.2</b>	<b>24,049</b>	<b>78.2</b>	0.0	-14.1
Level 1	26,076	87.9	26,142	87.2	24,805	82.0	23,185	76.0	23,481	76.4	0.4	-13.1
Level 2-Weapon	653	2.2	602	2.0	529	1.7	461	1.5	385	1.3	-17.2	-43.1
Level 3-Aggravated	297	1.0	269	0.9	219	0.7	213	0.7	183	0.6	-14.8	-40.5
Other sexual offences	3,343	11.3	3,650	12.2	3,445	11.4	3,300	10.8	3,105	10.1	-6.7	-10.4
Abduction	977	3.3	985	3.3	829	2.7	729	2.4	751	2.4	2.2	-25.8
<b>Robbery - Total</b>	<b>31,797</b>	<b>107.2</b>	<b>29,587</b>	<b>98.7</b>	<b>28,963</b>	<b>95.8</b>	<b>28,740</b>	<b>94.2</b>	<b>27,012</b>	<b>87.8</b>	-6.8	-18.0
Firearms	6,737	22.7	5,486	18.3	5,324	17.6	5,122	16.8	4,322	14.1	-16.3	-38.1
Other Weapons	10,543	35.5	9,945	33.2	10,326	34.1	10,500	34.4	9,893	32.2	-6.6	-9.5
No Weapons	14,517	48.9	14,156	47.2	13,313	44.0	13,118	43.0	12,797	41.6	-3.3	-14.9
<b>Violent crime - Total</b>	<b>296,746</b>	<b>1,000.1</b>	<b>296,890</b>	<b>990.1</b>	<b>296,166</b>	<b>979.1</b>	<b>291,327</b>	<b>955.4</b>	<b>301,875</b>	<b>981.7</b>	2.8	-1.8
<b>Break &amp; enter - Total</b>	<b>397,057</b>	<b>1,338.2</b>	<b>373,316</b>	<b>1,244.9</b>	<b>350,774</b>	<b>1,159.7</b>	<b>318,054</b>	<b>1,043.0</b>	<b>293,416</b>	<b>954.2</b>	-8.5	-28.7
Business	110,196	371.4	100,696	335.8	92,590	306.1	83,971	275.4	82,123	267.1	-3.0	-28.1
Residential	242,639	817.7	233,724	779.4	221,366	731.8	197,022	646.1	175,795	571.7	-11.5	-30.1
Other	44,222	149.0	38,896	129.7	36,818	121.7	37,061	121.5	35,498	115.4	-5.0	-22.5
Motor vehicle theft	180,123	607.0	177,130	590.7	165,920	548.5	161,388	529.3	160,268	521.2	-1.5	-14.1
Theft over \$5,000	27,075	91.2	24,035	80.2	23,600	78.0	22,493	73.8	21,381	69.5	-5.7	-23.8
Theft \$5,000 and under	823,732	2,776.1	758,292	2,528.7	713,632	2,359.3	678,367	2,224.6	662,616	2,154.8	-3.1	-22.4
Possession of stolen goods	31,772	107.1	29,799	99.4	29,156	96.4	29,308	96.1	28,317	92.1	-4.2	-14.0
Fraud	102,052	343.9	96,964	323.4	94,819	313.5	90,371	296.4	85,669	278.6	-6.0	-19.0
<b>Property crime - Total</b>	<b>1,561,811</b>	<b>5,263.6</b>	<b>1,459,536</b>	<b>4,867.2</b>	<b>1,377,901</b>	<b>4,555.4</b>	<b>1,299,981</b>	<b>4,263.2</b>	<b>1,251,667</b>	<b>4,070.5</b>	-4.5	-22.7
Mischief	365,830	1,232.9	341,854	1,140.0	326,918	1,080.8	312,266	1,024.0	326,369	1,061.4	3.6	-13.9
Counterfeiting currency	20,378	68.7	33,272	111.0	39,830	131.7	36,265	118.9	38,562	125.4	5.4	82.6
Bail violation	68,949	232.4	70,367	234.7	73,034	241.5	72,192	236.7	77,684	252.6	6.7	8.7
Disturbing the peace	54,563	183.9	57,704	192.4	65,513	216.6	69,570	228.1	80,095	260.5	14.2	41.6
Offensive weapons	16,400	55.3	16,103	53.7	16,766	55.4	16,007	52.5	15,306	49.8	-5.2	-9.9
Prostitution	6,397	21.6	5,828	19.4	5,969	19.7	5,255	17.2	5,036	16.4	-5.0	-24.0
Arson	12,830	43.2	12,693	42.3	12,947	42.8	12,756	41.8	13,724	44.6	6.7	3.2
Other	240,989	812.2	240,519	802.1	246,112	813.6	241,212	791.0	243,608	792.2	0.2	-2.5
<b>Other Criminal Code - Total</b>	<b>786,336</b>	<b>2,650.1</b>	<b>778,340</b>	<b>2,595.6</b>	<b>787,089</b>	<b>2,602.1</b>	<b>765,523</b>	<b>2,510.5</b>	<b>800,384</b>	<b>2,602.9</b>	3.7	-1.8
<b>CRIMINAL CODE WITHOUT TRAFFIC - TOTAL</b>	<b>2,644,893</b>	<b>8,913.8</b>	<b>2,534,766</b>	<b>8,452.8</b>	<b>2,461,156</b>	<b>8,136.6</b>	<b>2,356,831</b>	<b>7,729.0</b>	<b>2,353,926</b>	<b>7,655.0</b>	-1.0	-14.1
Impaired driving - Total <sup>2</sup>	96,280	324.5	90,145	300.6	87,660	289.8	85,997	282.0	83,939	273.0	-3.2	-15.9
Fail to stop/remain <sup>3</sup>	49,896	168.2	49,781	166.0	39,087	129.2	17,972	58.9	19,514	63.5	7.7	-62.3
Other	16,286	54.9	15,302	51.0	14,406	47.6	13,681	44.9	13,607	44.3	-1.4	-19.4
<b>Criminal Code Traffic - Total</b>	<b>162,462</b>	<b>547.5</b>	<b>155,228</b>	<b>517.6</b>	<b>141,153</b>	<b>466.7</b>	<b>117,650</b>	<b>385.8</b>	<b>117,060</b>	<b>380.7</b>	-1.3	-30.5
<b>CRIMINAL CODE - TOTAL</b>	<b>2,807,355</b>	<b>9,461.3</b>	<b>2,689,994</b>	<b>8,970.5</b>	<b>2,602,309</b>	<b>8,603.3</b>	<b>2,474,481</b>	<b>8,114.8</b>	<b>2,470,986</b>	<b>8,035.7</b>	-1.0	-15.1
<b>DRUGS</b>	<b>65,729</b>	<b>221.5</b>	<b>66,593</b>	<b>222.1</b>	<b>70,922</b>	<b>234.5</b>	<b>80,142</b>	<b>262.8</b>	<b>87,945</b>	<b>286.0</b>	8.8	29.1
Cannabis	47,234	159.2	47,933	159.8	50,917	168.3	60,011	196.8	66,171	215.2	9.3	35.2
Cocaine	11,478	38.7	11,468	38.2	12,183	40.3	11,963	39.2	12,812	41.7	6.2	7.7
Heroin	1,287	4.3	1,235	4.1	1,323	4.4	1,323	4.3	1,226	4.0	-8.1	-8.1
Other drugs	5,730	19.3	5,957	19.9	6,509	21.5	6,845	22.4	7,736	25.2	12.1	30.3
<b>OTHER FEDERAL STATUTES</b>	<b>34,274</b>	<b>115.5</b>	<b>35,204</b>	<b>117.4</b>	<b>35,816</b>	<b>118.4</b>	<b>38,942</b>	<b>127.7</b>	<b>34,649</b>	<b>112.7</b>	-11.8	-2.5
<b>TOTAL FEDERAL STATUTES</b>	<b>2,907,358</b>	<b>9,798.4</b>	<b>2,791,791</b>	<b>9,309.9</b>	<b>2,709,047</b>	<b>8,956.1</b>	<b>2,593,565</b>	<b>8,505.3</b>	<b>2,593,580</b>	<b>8,434.4</b>	-0.8	-13.9

<sup>\*</sup> In comparison to the previous year rate. Percent change based on unrounded rates.

<sup>2</sup> Revised figures.

<sup>1</sup> Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics, 2000 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: final postcensal estimates for 1996 and 1997, updated postcensal estimates for 1998 and 1999 and preliminary postcensal estimates for 2000.

<sup>2</sup> Includes impaired operation of a vehicle causing death, causing bodily harm, alcohol rate over 80mg, failure/refusal to provide a breath/blood sample.

<sup>3</sup> Beginning in 1999, "fail to stop or remain" incidents for Toronto are now included under "provincial statutes" instead of the Criminal Code.

Source: Uniform Crime Reporting Survey, CCJS.

Table 2

Rates of Criminal Code Incidents, Canada, 1962 - 2000<sup>1</sup>

	Total Criminal Code <sup>2</sup>		Violent crime		Property crime		Other Criminal Code	
	Rate	% Change*	Rate	% Change*	Rate	% Change*	Rate	% Change*
		%		%		%		%
1962	2,771	...	221	...	1,891	...	659	...
1963	3,022	9.0	249	13.0	2,047	8.2	726	10.1
1964	3,245	7.4	284	13.8	2,146	4.9	815	12.3
1965	3,199	-1.4	299	5.4	2,091	-2.6	809	-0.7
1966	3,511	9.8	347	15.9	2,258	8.0	907	12.0
1967	3,850	9.6	381	9.9	2,484	10.0	985	8.7
1968	4,336	12.6	423	11.0	2,826	13.8	1,087	10.3
1969	4,737	9.3	453	7.1	3,120	10.4	1,164	7.1
1970	5,212	10.0	481	6.2	3,515	12.6	1,217	4.6
1971	5,311	1.9	492	2.4	3,649	3.8	1,170	-3.9
1972	5,355	0.8	497	1.0	3,634	-0.4	1,224	4.6
1973	5,773	7.8	524	5.3	3,704	1.9	1,546	26.3
1974	6,387	10.6	553	5.6	4,151	12.1	1,684	8.9
1975	6,852	7.3	585	5.9	4,498	8.4	1,769	5.1
1976	6,984	1.9	584	-0.2	4,533	0.8	1,867	5.6
1977	6,971	-0.2	572	-2.0	4,466	-1.5	1,933	3.5
1978	7,154	2.6	580	1.4	4,579	2.5	1,995	3.2
1979	7,666	7.2	610	5.1	4,903	7.1	2,153	7.9
1980	8,343	8.8	636	4.3	5,444	11.0	2,263	5.1
1981	8,736	4.7	654	2.8	5,759	5.8	2,322	2.6
1982	8,773	0.4	671	2.7	5,840	1.4	2,262	-2.6
1983	8,470	-3.5	679	1.2	5,608	-4.0	2,182	-3.5
1984	8,387	-1.0	701	3.1	5,501	-1.9	2,185	0.1
1985	8,413	0.3	735	4.8	5,451	-0.9	2,227	1.9
1986	8,727	3.7	785	6.9	5,550	1.8	2,392	7.4
1987	8,956	2.6	829	5.6	5,552	0.0	2,575	7.6
1988	8,919	-0.4	868	4.6	5,438	-2.1	2,612	1.5
1989	8,891	-0.3	911	5.0	5,289	-2.8	2,691	3.0
1990	9,484	6.7	973	6.8	5,611	6.1	2,900	7.8
1991	10,342	9.0	1,059	8.9	6,160	9.8	3,122	7.7
1992	10,036	-3.0	1,084	2.3	5,902	-4.2	3,051	-2.3
1993	9,531	-5.0	1,081	-0.3	5,571	-5.6	2,879	-5.6
1994	9,114	-4.4	1,046	-3.2	5,250	-5.8	2,817	-2.2
1995	8,993	-1.3	1,007	-3.7	5,283	0.6	2,702	-4.1
1996	8,914	-0.9	1,000	-0.7	5,264	-0.4	2,650	-1.9
1997	8,453	-5.2	990	-1.0	4,867	-7.5	2,596	-2.1
1998	8,137	-3.7	979	-1.1	4,556	-6.4	2,602	0.2
1999 <sup>r</sup>	7,729	-5.0	955	-2.4	4,263	-6.4	2,510	-3.5
2000	7,655	-1.0	982	2.8	4,070	-4.5	2,603	3.7

\* In comparison to the previous year rate. Percent change based on unrounded rates.

... Figures not applicable

<sup>r</sup> Revised figures.

<sup>1</sup> Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics, 2000 report, produced by Statistics Canada, Demography Division. Populations as of June 1st: intercensal estimates for 1962 to 1970, without adjustment for net census undercoverage. Populations as of July 1st: revised intercensal estimates for 1971 to 1990, final intercensal estimates for 1991 to 1995, final postcensal estimates for 1996 and 1997, updated postcensal estimates for 1998 and 1999 and preliminary postcensal estimates for 2000.

<sup>2</sup> Excluding traffic offences.

Source: Uniform Crime Reporting Survey, CCJS.



Table 3

# Selected Criminal Code Incidents, Canada and the Provinces/Territories, 2000<sup>1</sup>

	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.	Yukon	N.W.T.	Nvt.	Canada
<b>Population, 2000</b>	<b>538,823</b>	<b>138,928</b>	<b>940,996</b>	<b>756,598</b>	<b>7,372,448</b>	<b>11,669,344</b>	<b>1,147,880</b>	<b>1,023,636</b>	<b>2,997,236</b>	<b>4,063,760</b>	<b>30,663</b>	<b>42,083</b>	<b>27,692</b>	<b>30,750,087</b>
Homicide														
number	6	3	15	10	148	155	30	26	58	85	2	1	3	542
rate	1.1	2.2	1.6	1.3	2.0	1.3	2.6	2.5	1.9	2.1	6.5	2.4	10.8	1.8
% change in rate*	201.1	197.2	15.2	10.8	7.7	-5.6	14.9	100.4	-6.1	-23.4	102.7	-2.3	46.3	-0.1
Sexual Assault (1,2,3)														
number	572	105	750	771	3,424	8,825	1,365	1,525	2,497	3,727	86	181	221	24,049
rate	106	76	80	102	46	76	119	149	83	92	280	430	798	78
% change in rate*	-0.3	-0.9	-16.2	-0.8	-0.6	5.3	4.0	11.1	-9.2	-5.6	-3.1	-12.5	5.6	0.0
Assault (1,2,3)														
number	4,057	824	7,580	5,646	37,442	79,913	14,930	13,627	25,071	40,616	842	1,648	1,321	233,517
rate	753	593	806	746	508	685	1,301	1,331	836	999	2,746	3,916	4,770	759
% change in rate*	1.7	5.7	-0.9	-2.4	13.8	4.6	8.1	5.5	1.7	-0.2	5.8	-3.4	15.5	4.6
Robbery														
number	57	14	521	166	7,642	8,396	1,845	919	2,532	4,877	13	18	12	27,012
rate	11	10	55	22	104	72	161	90	84	120	42	43	43	88
% change in rate*	-10.6	-27.0	25.0	2.2	-8.1	-5.0	-7.6	3.8	-1.6	-13.9	-12.1	-7.4	67.2	-6.8
<b>Violent crime - Total</b>														
number	<b>4,849</b>	<b>999</b>	<b>9,319</b>	<b>7,089</b>	<b>52,911</b>	<b>103,540</b>	<b>18,805</b>	<b>17,025</b>	<b>31,830</b>	<b>50,819</b>	<b>1,020</b>	<b>1,987</b>	<b>1,682</b>	<b>301,875</b>
rate	<b>900</b>	<b>719</b>	<b>990</b>	<b>937</b>	<b>718</b>	<b>887</b>	<b>1,638</b>	<b>1,663</b>	<b>1,062</b>	<b>1,251</b>	<b>3,326</b>	<b>4,722</b>	<b>6,074</b>	<b>982</b>
% change in rate*	<b>1.3</b>	<b>4.7</b>	<b>-1.6</b>	<b>-2.1</b>	<b>7.8</b>	<b>4.1</b>	<b>4.1</b>	<b>4.4</b>	<b>-0.1</b>	<b>-2.5</b>	<b>6.4</b>	<b>-4.9</b>	<b>15.7</b>	<b>2.8</b>
Breaking & Entering														
number	3,519	809	7,673	5,209	79,984	85,408	14,184	15,815	26,781	51,839	774	817	604	293,416
rate	653	582	815	688	1,085	732	1,236	1,545	894	1,276	2,524	1,941	2,181	954
% change in rate*	-7.1	-10.5	-15.4	-5.1	-6.2	-8.9	-7.2	-6.1	-9.7	-11.5	40.1	-9.5	18.0	-8.5
Motor Vehicle Theft														
number	642	218	2,864	1,556	42,458	48,284	11,797	7,635	14,893	29,266	245	211	199	160,268
rate	119	157	304	206	576	414	1,028	746	497	720	799	501	719	521
% change in rate*	21.8	13.1	-1.4	-4.9	-1.7	-4.8	9.5	8.1	-1.0	-2.4	8.9	-8.4	14.8	-1.5
Other Theft														
number	7,349	2,655	18,730	11,972	126,441	219,392	27,638	30,361	75,663	160,802	1,291	1,207	496	683,997
rate	1,364	1,911	1,990	1,582	1,715	1,880	2,408	2,966	2,524	3,957	4,210	2,868	1,791	2,224
% change in rate*	1.0	-0.9	-12.0	1.5	1.3	-4.6	-4.1	7.3	-6.5	-4.4	9.2	5.0	9.9	-3.2
<b>Property crime - Total</b>														
number	<b>12,991</b>	<b>4,129</b>	<b>33,652</b>	<b>21,760</b>	<b>269,124</b>	<b>394,786</b>	<b>57,008</b>	<b>60,088</b>	<b>133,447</b>	<b>258,410</b>	<b>2,502</b>	<b>2,394</b>	<b>1,376</b>	<b>1,251,667</b>
rate	<b>2,411</b>	<b>2,972</b>	<b>3,576</b>	<b>2,876</b>	<b>3,650</b>	<b>3,383</b>	<b>4,966</b>	<b>5,870</b>	<b>4,452</b>	<b>6,359</b>	<b>8,160</b>	<b>5,689</b>	<b>4,969</b>	<b>4,070</b>
% change in rate*	<b>-1.4</b>	<b>-4.8</b>	<b>-11.0</b>	<b>-3.7</b>	<b>-1.9</b>	<b>-5.3</b>	<b>-2.4</b>	<b>1.8</b>	<b>-7.0</b>	<b>-6.0</b>	<b>14.7</b>	<b>-1.6</b>	<b>14.1</b>	<b>-4.5</b>
Offensive weapons														
number	176	33	502	346	1,150	6,279	1,063	701	1,622	3,261	78	56	39	15,306
rate	33	24	53	46	16	54	93	68	54	80	254	133	141	50
% change in rate*	36.9	12.7	6.6	-10.6	0.9	-5.7	-9.1	-17.7	-3.9	-6.0	34.0	-18.3	-7.2	-5.2
Mischief														
number	5,230	1,703	11,430	7,138	54,605	101,373	22,218	19,512	40,464	57,156	1,120	3,108	1,312	326,369
rate	971	1,226	1,215	943	741	869	1,936	1,906	1,350	1,406	3,653	7,385	4,738	1,061
% change in rate*	10.9	-5.4	-8.2	-3.1	6.3	2.9	-3.1	16.2	5.1	2.5	41.4	11.2	21.7	3.6
<b>Other Criminal Code - Total</b>														
number	<b>12,932</b>	<b>4,161</b>	<b>28,272</b>	<b>20,471</b>	<b>122,307</b>	<b>250,907</b>	<b>47,271</b>	<b>53,193</b>	<b>99,146</b>	<b>148,073</b>	<b>3,696</b>	<b>7,145</b>	<b>2,810</b>	<b>800,384</b>
rate	<b>2,400</b>	<b>2,995</b>	<b>3,004</b>	<b>2,706</b>	<b>1,659</b>	<b>2,150</b>	<b>4,118</b>	<b>5,196</b>	<b>3,308</b>	<b>3,644</b>	<b>12,054</b>	<b>16,978</b>	<b>10,147</b>	<b>2,603</b>
% change in rate*	<b>7.5</b>	<b>-6.3</b>	<b>-9.2</b>	<b>-5.9</b>	<b>6.8</b>	<b>3.5</b>	<b>5.0</b>	<b>7.8</b>	<b>3.0</b>	<b>2.8</b>	<b>29.8</b>	<b>25.0</b>	<b>19.4</b>	<b>3.7</b>
<b>CRIMINAL CODE - TOTAL - without traffic offences</b>														
number	<b>30,772</b>	<b>9,289</b>	<b>71,243</b>	<b>49,320</b>	<b>444,342</b>	<b>749,233</b>	<b>123,084</b>	<b>130,306</b>	<b>264,423</b>	<b>457,302</b>	<b>7,218</b>	<b>11,526</b>	<b>5,868</b>	<b>2,353,926</b>
rate	<b>5,711</b>	<b>6,686</b>	<b>7,571</b>	<b>6,519</b>	<b>6,027</b>	<b>6,421</b>	<b>10,723</b>	<b>12,730</b>	<b>8,822</b>	<b>11,253</b>	<b>23,540</b>	<b>27,389</b>	<b>21,190</b>	<b>7,655</b>
% change in rate*	<b>2.6</b>	<b>-4.5</b>	<b>-9.1</b>	<b>-4.4</b>	<b>1.5</b>	<b>-1.3</b>	<b>1.3</b>	<b>4.5</b>	<b>-2.7</b>	<b>-2.9</b>	<b>20.5</b>	<b>12.6</b>	<b>17.1</b>	<b>-1.0</b>

\* In comparison to the previous year rate. Percent change based on unrounded rates.

<sup>1</sup> Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics, 2000 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: updated postcensal estimates for 1999 and preliminary postcensal estimates for 2000.

Source: Uniform Crime Reporting Survey, CCJS.

Table 4

### Selected Criminal Code Incidents for Major Metropolitan Areas, 2000<sup>1,2</sup>

	Toronto	Montréal	Vancouver <sup>3</sup>	Calgary	Edmonton	Ottawa <sup>4</sup>	Québec	Winnipeg	Hamilton
<b>Population, 2000</b>	<b>4,751,408</b>	<b>3,480,342</b>	<b>2,048,823</b>	<b>952,960</b>	<b>944,194</b>	<b>822,933</b>	<b>689,654</b>	<b>681,146</b>	<b>671,679</b>
Homicide									
number	81	72	42	16	19	8	12	17	9
rate	1.7	2.1	2.0	1.7	2.0	1.0	1.7	2.5	1.3
% change in rate *	30.4	0.4	-27.1	19.5	-6.6	-34.2	19.8	13.1	-44.4
Sexual assault (1,2,3)									
number	2,817	1,630	1,286	582	735	374	269	596	525
rate	59	47	63	61	78	45	39	87	78
% change in rate *	8.6	0.0	5.4	-7.9	1.8	-18.8	-2.4	24.2	11.2
Assault (1,2,3)									
number	31,424	22,238	16,919	6,416	6,276	4,309	2,589	6,711	5,452
rate	661	639	826	673	665	524	375	985	812
% change in rate *	9.5	17.6	2.4	4.8	12.7	-2.6	17.8	20.0	1.7
Robbery									
number	5,084	6,011	3,833	997	1,269	788	481	1,707	578
rate	107	173	187	105	134	96	70	251	86
% change in rate *	-7.3	-10.7	-13.4	-4.7	-1.8	-8.2	2.6	-6.1	2.5
<b>Violent crime - Total</b>									
number	<b>41,250</b>	<b>32,045</b>	<b>22,690</b>	<b>8,375</b>	<b>8,882</b>	<b>5,679</b>	<b>3,544</b>	<b>9,239</b>	<b>6,766</b>
rate	<b>868</b>	<b>921</b>	<b>1,107</b>	<b>879</b>	<b>941</b>	<b>690</b>	<b>514</b>	<b>1,356</b>	<b>1,007</b>
% change in rate *	<b>7.5</b>	<b>9.0</b>	<b>-0.7</b>	<b>2.7</b>	<b>8.2</b>	<b>-5.3</b>	<b>10.5</b>	<b>10.5</b>	<b>2.5</b>
Break & enter									
number	26,266	41,595	29,288	7,758	9,310	5,675	6,378	8,363	5,475
rate	553	1,195	1,430	814	986	690	925	1,228	815
% change in rate *	-9.9	-8.7	-10.3	-20.4	-3.2	-21.6	4.7	-0.3	-10.8
Motor vehicle theft									
number	17,353	27,846	21,686	5,528	5,093	4,590	1,583	9,707	4,690
rate	365	800	1,058	580	539	558	230	1,425	698
% change in rate *	-8.9	-4.1	1.3	-13.4	16.0	-13.8	-22.2	9.3	-11.7
Other theft									
number	80,407	71,964	90,464	24,928	24,162	15,104	12,211	18,929	12,305
rate	1,692	2,068	4,415	2,616	2,559	1,835	1,771	2,779	1,832
% change in rate *	-6.5	1.1	-6.5	-8.5	-3.8	-15.4	3.3	-0.9	-5.5
<b>Property crime - Total</b>									
number	<b>139,655</b>	<b>153,083</b>	<b>148,807</b>	<b>42,975</b>	<b>44,191</b>	<b>27,391</b>	<b>21,565</b>	<b>38,874</b>	<b>23,946</b>
rate	<b>2,939</b>	<b>4,399</b>	<b>7,263</b>	<b>4,510</b>	<b>4,680</b>	<b>3,328</b>	<b>3,127</b>	<b>5,707</b>	<b>3,565</b>
% change in rate *	<b>-6.8</b>	<b>-3.0</b>	<b>-6.2</b>	<b>-11.2</b>	<b>-2.6</b>	<b>-15.7</b>	<b>0.9</b>	<b>2.5</b>	<b>-7.8</b>
Offensive weapons									
number	1,973	491	1,615	300	437	253	41	405	282
rate	42	14	79	31	46	31	6	59	42
% change in rate *	11.0	19.2	2.3	14.7	-0.8	-3.2	-4.8	0.6	11.1
Mischief -									
number	26,428	27,238	23,181	8,945	11,567	6,922	5,764	12,975	5,415
rate	556	783	1,131	939	1,225	841	836	1,905	806
% change in rate *	-0.8	5.5	1.9	0.1	2.9	-0.9	10.2	-1.4	3.3
<b>Other Criminal Code - Total</b>									
number	<b>70,427</b>	<b>66,629</b>	<b>58,166</b>	<b>16,452</b>	<b>26,022</b>	<b>13,673</b>	<b>10,119</b>	<b>22,572</b>	<b>13,384</b>
rate	<b>1,482</b>	<b>1,914</b>	<b>2,839</b>	<b>1,726</b>	<b>2,756</b>	<b>1,661</b>	<b>1,467</b>	<b>3,314</b>	<b>1,993</b>
% change in rate *	<b>2.7</b>	<b>8.0</b>	<b>6.0</b>	<b>2.4</b>	<b>-3.8</b>	<b>-4.5</b>	<b>12.0</b>	<b>13.1</b>	<b>4.8</b>
<b>CRIMINAL CODE - TOTAL - excluding Traffic</b>									
number	<b>251,332</b>	<b>251,757</b>	<b>229,663</b>	<b>67,802</b>	<b>79,095</b>	<b>46,743</b>	<b>35,228</b>	<b>70,685</b>	<b>44,096</b>
rate	<b>5,290</b>	<b>7,234</b>	<b>11,210</b>	<b>7,115</b>	<b>8,377</b>	<b>5,680</b>	<b>5,108</b>	<b>10,377</b>	<b>6,565</b>
% change in rate *	<b>-2.1</b>	<b>1.1</b>	<b>-2.8</b>	<b>-6.6</b>	<b>-1.9</b>	<b>-11.5</b>	<b>4.8</b>	<b>6.7</b>	<b>-2.7</b>

\* In comparison to the previous year rate. Percent change based on unrounded rates.

<sup>1</sup> Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics, 2000 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: updated postcensal estimates for 1999 and preliminary postcensal estimates for 2000.

<sup>2</sup> Please note that a CMA typically comprises more than one police force.

<sup>3</sup> As a result of labour action, from September to December 2000 there was a decrease in the number of theft crimes reported to Vancouver Police. This affects both the total property crime and the total Criminal Code figures when comparing to previous years.

<sup>4</sup> Ottawa represents the Ontario part of the Ottawa-Hull CMA.

Source: Uniform Crime Reporting Survey, CCJS.



Table 5

# Crime Rates for Census Metropolitan Areas by Type of Incidents, Canada, 2000<sup>1,2</sup>

		Total CC Offences		Violent crime		Property crime		Other crimes	
	Population	2000 rate	% change in rate*	2000 rate	% change in rate	2000 rate	% change in rate	2000 rate	% change in rate
<b>CMA with population of 500,000 and over</b>									
Vancouver <sup>3</sup>	2,048,823	11,210	-2.8	1,107	-0.7	7,263	-6.2	2,839	6.0
Winnipeg	681,146	10,377	6.7	1,356	10.5	5,707	2.5	3,314	13.1
Edmonton	944,194	8,377	-1.9	941	8.2	4,680	-2.6	2,756	-3.8
Montréal	3,480,342	7,234	1.1	921	9.0	4,399	-3.0	1,914	8.0
Calgary	952,960	7,115	-6.6	879	2.7	4,510	-11.2	1,726	2.4
Hamilton	671,679	6,565	-2.7	1,007	2.5	3,565	-7.8	1,993	4.8
Ottawa <sup>4</sup>	822,933	5,680	-11.5	690	-5.3	3,328	-15.7	1,661	-4.5
Toronto	4,751,408	5,290	-2.1	868	7.5	2,939	-6.8	1,482	2.7
Québec	689,654	5,108	4.8	514	10.5	3,127	0.9	1,467	12.0
<b>CMA with population between 100,000 and 499,999</b>									
Regina	200,455	14,769	-2.4	1,590	-6.6	8,414	-1.0	4,765	-3.3
Saskatoon	232,600	12,891	10.5	1,485	11.3	6,843	6.0	4,563	17.7
Victoria	317,492	10,594	-10.5	1,118	-11.6	5,540	-15.6	3,936	-1.9
Halifax	355,996	9,249	-3.7	1,164	12.0	5,402	-6.7	2,683	-3.5
Thunder Bay	126,343	8,900	-2.0	1,384	-8.9	4,275	2.7	3,240	-4.6
London <sup>5</sup>	377,523	8,721	1.6	838	-5.3	5,307	0.9	2,575	5.6
Windsor <sup>1</sup>	304,390	7,086	7.5	755	1.8	3,831	9.0	2,501	7.1
Sudbury	157,132	6,784	3.5	974	2.8	3,727	1.2	2,083	8.3
St. John's	175,062	6,759	9.6	851	-1.6	3,831	12.6	2,077	9.2
St. Catharines-Niagara <sup>5</sup>	422,995	6,546	-4.5	623	0.7	3,705	-8.4	2,218	1.1
Hull <sup>6</sup>	258,053	6,415	3.9	771	17.7	3,686	-2.9	1,958	13.7
Saint John <sup>5</sup>	146,844	6,277	-12.4	1,046	1.2	2,836	-9.1	2,396	-20.6
Kitchener <sup>5</sup>	446,311	6,110	-4.3	689	3.1	3,744	-7.3	1,677	0.1
Sherbrooke	152,897	5,829	0.0	438	10.0	3,927	0.8	1,464	-4.6
Trois-Rivières	141,785	5,207	-6.4	456	-3.8	3,280	-5.6	1,471	-9.1
Chicoutimi-Jonquière <sup>5</sup>	145,014	5,104	-3.0	563	-1.1	3,138	-5.4	1,402	2.2

\* In comparison to the previous year rate. Percent change based on un-rounded rates.

<sup>1</sup> Please note that a CMA typically comprises more than one police force. Also, please note that the Oshawa Census Metropolitan Area (CMA) is excluded from this table due to the incongruity between the police agency jurisdictional boundaries and the CMA boundaries.

<sup>2</sup> Rates are calculated per 100,000 population. The population estimates come from the Annual Demographic Statistics, 2000 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: updated postcensal estimates for 1999 and preliminary postcensal estimates for 2000.

<sup>3</sup> As a result of labour action, from September to December 2000 there was a decrease in the number of theft crimes reported to Vancouver Police. This affects both the total property crime and the total Criminal Code figures when comparing to previous years.

<sup>4</sup> Ottawa refers to the Ontario part of the Ottawa-Hull CMA.

<sup>5</sup> Populations were adjusted to follow policing boundaries.

<sup>6</sup> Hull refers to the Quebec part of the Ottawa-Hull CMA.

Source: Uniform Crime Reporting Survey, CCJS.

Table 6

# Persons Charged by Age Group and Sex, Selected Incidents, Canada, 2000

	Age Group by Sex				Total by Age Group	
	Adults (18 and over)		Youth (12 to 17)		Adult	Youth
	Male	Female	Male	Female		
	%		%		%	
Homicide <sup>1</sup>	90	10	88	12	92	8
Attempted murder	89	11	89	11	91	9
Assaults	84	16	71	29	85	15
Sexual assaults	98	2	96	4	82	18
Other sexual offences	97	3	96	4	83	17
Abduction	55	45	25	75	96	4
Robbery	91	9	85	15	66	34
<b>Violent crime - Total</b>	<b>85</b>	<b>15</b>	<b>75</b>	<b>25</b>	<b>84</b>	<b>16</b>
Break and enter	93	7	91	9	63	37
Motor vehicle theft	92	8	85	15	59	41
Fraud	70	30	63	37	92	8
Theft over \$5,000	77	23	85	15	87	13
Theft \$5,000 and under	71	29	66	34	73	27
<b>Property crime - Total</b>	<b>78</b>	<b>22</b>	<b>77</b>	<b>23</b>	<b>73</b>	<b>27</b>
Mischief	88	12	88	12	67	33
Arson	81	19	86	14	52	48
Prostitution	49	51	14	86	98	2
Offensive weapons	93	7	93	7	78	22
<b>Criminal Code - Total</b>	<b>82</b>	<b>18</b>	<b>77</b>	<b>23</b>	<b>79</b>	<b>21</b>
Impaired driving <sup>2</sup>	88	12	87	13	99	1
Cannabis Offences	87	13	87	13	83	17
Cocaine Offences	82	18	79	21	95	5
Other Drug Offences	83	17	83	17	85	15

<sup>1</sup> These data are based on the Homicide Survey, CCJS.

<sup>2</sup> Includes impaired operation of a vehicle causing death, causing bodily harm, alcohol rate over 80 mg., failure/refusal to provide a breath/blood sample.

Age of persons charged with impaired driving comes from the Incident-based survey (UCR2).

Source: Uniform Crime Reporting Survey, CCJS.



Table 7

# Youths Charged with Selected Criminal Code Incidents, Canada, 1990 - 2000<sup>1</sup>

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999 <sup>r</sup>	2000
<b>Population (aged 12-17)</b>	<b>2,256,094</b>	<b>2,273,918</b>	<b>2,305,122</b>	<b>2,330,853</b>	<b>2,359,067</b>	<b>2,386,301</b>	<b>2,417,604</b>	<b>2,439,553</b>	<b>2,449,696</b>	<b>2,449,097</b>	<b>2,451,701</b>
Homicide											
number	47	48	58	36	58	68	49	54	56	45	41
rate	2	2	3	2	2	3	2	2	2	2	2
% change in rate*	-0.5	1.3	19.2	-38.6	59.2	15.9	-28.9	9.2	3.3	-19.6	-9.0
Assaults (levels 1, 2, 3)											
number	10,797	12,815	13,584	14,981	15,363	15,898	15,945	15,612	15,862	15,354	16,404
rate	479	564	589	643	651	666	660	640	648	627	669
% change in rate*	16.2	17.8	4.6	9.1	1.3	2.3	-1.0	-3.0	1.2	-3.2	6.7
Sexual assaults (levels 1, 2, 3)											
number	1,609	1,906	2,074	2,132	1,896	1,586	1,581	1,494	1,440	1,422	1,686
rate	71	84	90	91	80	66	65	61	59	58	69
% change in rate*	8.3	17.5	7.3	1.7	-12.1	-17.3	-1.6	-6.4	-4.0	-1.2	18.4
Robbery											
number	2,055	2,746	2,966	2,996	3,006	3,535	3,741	3,792	3,576	3,175	3,257
rate	91	121	129	129	127	148	155	155	146	130	133
% change in rate*	4.8	32.6	6.5	-0.1	-0.9	16.3	4.5	0.5	-6.1	-11.2	2.5
<b>Total Violent Crime</b>											
number	<b>15,690</b>	<b>18,919</b>	<b>20,028</b>	<b>21,477</b>	<b>21,629</b>	<b>22,441</b>	<b>22,521</b>	<b>22,172</b>	<b>22,195</b>	<b>21,102</b>	<b>22,635</b>
rate	<b>695</b>	<b>832</b>	<b>869</b>	<b>921</b>	<b>917</b>	<b>940</b>	<b>932</b>	<b>909</b>	<b>906</b>	<b>862</b>	<b>923</b>
% change in rate*	<b>13.3</b>	<b>19.6</b>	<b>4.4</b>	<b>6.1</b>	<b>-0.5</b>	<b>2.6</b>	<b>-0.9</b>	<b>-2.4</b>	<b>-0.3</b>	<b>-4.9</b>	<b>7.2</b>
Break and enter											
number	24,066	26,901	24,747	21,947	19,992	18,654	18,532	17,092	16,007	13,266	12,534
rate	1,067	1,183	1,074	942	847	782	767	701	653	542	511
% change in rate*	8.0	10.9	-9.3	-12.3	-10.0	-7.8	-1.9	-8.6	-6.7	-17.1	-5.6
Motor vehicle theft											
number	7,945	8,768	8,122	8,211	7,476	6,875	7,011	6,468	6,228	5,508	5,700
rate	352	386	352	352	317	288	290	265	254	225	232
% change in rate*	7.8	9.5	-8.6	0.0	-10.0	-9.1	0.7	-8.6	-4.1	-11.5	3.4
Other Theft											
number	42,514	45,221	39,648	35,301	32,228	33,762	32,473	27,060	24,744	21,879	20,415
rate	1,884	1,989	1,720	1,515	1,366	1,415	1,343	1,109	1,010	893	833
% change in rate*	8.7	5.5	-13.5	-11.9	-9.8	3.6	-5.1	-17.4	-8.9	-11.6	-6.8
<b>Total Property crime</b>											
number	<b>83,741</b>	<b>91,656</b>	<b>83,603</b>	<b>74,981</b>	<b>68,907</b>	<b>68,105</b>	<b>66,702</b>	<b>58,340</b>	<b>54,104</b>	<b>48,009</b>	<b>46,248</b>
rate	<b>3,712</b>	<b>4,031</b>	<b>3,627</b>	<b>3,217</b>	<b>2,921</b>	<b>2,854</b>	<b>2,759</b>	<b>2,391</b>	<b>2,209</b>	<b>1,960</b>	<b>1,886</b>
% change in rate*	<b>9.1</b>	<b>8.6</b>	<b>-10.0</b>	<b>-11.3</b>	<b>-9.2</b>	<b>-2.3</b>	<b>-3.3</b>	<b>-13.3</b>	<b>-7.6</b>	<b>-11.2</b>	<b>-3.8</b>
Offensive weapons											
number	1,809	2,020	1,906	1,932	1,963	1,693	1,551	1,478	1,457	1,438	1,528
rate	80	89	83	83	83	71	64	61	59	59	62
% change in rate*	5.7	10.8	-6.9	0.2	0.4	-14.7	-9.6	-5.6	-1.8	-1.3	6.1
Mischief											
number	8,647	9,725	9,066	8,214	7,687	7,745	7,695	7,005	6,926	6,623	7,000
rate	383	428	393	352	326	325	318	287	283	270	286
% change in rate*	1.3	11.6	-8.0	-10.4	-7.5	-0.4	-1.9	-9.8	-1.5	-4.4	5.6
<b>Total Other Criminal Code</b>											
number	<b>27,118</b>	<b>31,741</b>	<b>31,651</b>	<b>30,429</b>	<b>29,089</b>	<b>30,117</b>	<b>30,187</b>	<b>30,329</b>	<b>31,153</b>	<b>30,211</b>	<b>31,978</b>
rate	<b>1,202</b>	<b>1,396</b>	<b>1,373</b>	<b>1,305</b>	<b>1,233</b>	<b>1,262</b>	<b>1,249</b>	<b>1,243</b>	<b>1,272</b>	<b>1,234</b>	<b>1,304</b>
% change in rate*	<b>4.3</b>	<b>16.1</b>	<b>-1.6</b>	<b>-4.9</b>	<b>-5.5</b>	<b>2.4</b>	<b>-1.1</b>	<b>-0.4</b>	<b>2.3</b>	<b>-3.0</b>	<b>5.7</b>
<b>Total Criminal Code (Excluding Traffic)</b>											
number	<b>126,549</b>	<b>142,316</b>	<b>135,282</b>	<b>126,887</b>	<b>119,625</b>	<b>120,663</b>	<b>119,410</b>	<b>110,841</b>	<b>107,452</b>	<b>99,322</b>	<b>100,861</b>
rate	<b>5,609</b>	<b>6,259</b>	<b>5,869</b>	<b>5,444</b>	<b>5,071</b>	<b>5,056</b>	<b>4,939</b>	<b>4,543</b>	<b>4,386</b>	<b>4,055</b>	<b>4,114</b>
% change in rate*	<b>8.5</b>	<b>11.6</b>	<b>-6.2</b>	<b>-7.2</b>	<b>-6.9</b>	<b>-0.3</b>	<b>-2.3</b>	<b>-8.0</b>	<b>-3.5</b>	<b>-7.5</b>	<b>1.4</b>

\* In comparison to the previous year rate. Percent change based on unrounded rates.

<sup>r</sup> Revised figures

<sup>1</sup> Rates are calculated on the basis of 100,000 youths. The population estimates come from the Annual Demographic Statistics, 2000 report, produced by Statistics Canada, Demography Division. Populations as of July 1st: revised intercensal estimates for 1989 to 1990, final intercensal estimates for 1991 to 1995, final postcensal estimates for 1996 and 1997, updated postcensal estimates from 1998 to 1999 and preliminary postcensal estimates for 2000.

Source: Uniform Crime Reporting Survey, CCJS.

Table 8

Youth Charged With Selected Criminal Code Incidents, Canada and the Provinces/Territories, 2000<sup>1</sup>

	Nfld.	P.E.I.	N.S.	N.B.	Qc	Ont.	Man.	Sask.	Alta.	B.C.	Yukon	N.W.T.	Nvt.	Canada
<b>Population 2000</b>	<b>46,777</b>	<b>12,408</b>	<b>76,190</b>	<b>60,637</b>	<b>540,743</b>	<b>926,532</b>	<b>98,915</b>	<b>95,430</b>	<b>264,900</b>	<b>318,750</b>	<b>2,977</b>	<b>4,095</b>	<b>3,347</b>	<b>2,451,701</b>
Homicide														
number	1	-	1	2	5	11	11	1	5	4	-	-	-	41
rate	2.1	-	1.3	3.3	0.9	1.2	11.1	1.0	1.9	1.3	-	-	-	1.7
% change in rate*	3.3	-	...	...	-43.5	8.6	173.1	-83.2	-44.7	-33.3	...	...	...	-9.0
Sexual Assault (1,2,3)														
number	58	5	55	43	144	755	94	111	182	211	9	8	11	1,686
rate	124	40	72	71	27	81	95	116	69	66	302	195	329	69
% change in rate*	30.2	-16.8	24.9	-5.8	-22.6	36.7	8.5	30.2	17.6	5.5	79.5	-22.3	108.4	18.4
Assault (1,2,3)														
number	334	27	392	449	2,055	7,232	1,062	966	1,807	1,954	38	36	52	16,404
rate	714	218	515	740	380	781	1,074	1,012	682	613	1,276	879	1,554	669
% change in rate*	6.4	22.5	-9.1	-3.9	5.2	7.6	6.6	9.0	5.4	8.8	-13.9	-5.5	33.2	6.7
Robbery														
number	18	3	70	26	461	1,396	275	231	465	309	1	-	2	3,257
rate	38	24	92	43	85	151	278	242	176	97	34	-	60	133
% change in rate*	54.9	-40.1	29.5	-18.1	-24.2	15.9	-4.5	55.4	13.4	-24.8	-85.8	-100.0	...	2.5
<b>Violent crime - Total</b>														
number	<b>439</b>	<b>39</b>	<b>556</b>	<b>558</b>	<b>2,876</b>	<b>9,900</b>	<b>1,507</b>	<b>1,421</b>	<b>2,576</b>	<b>2,585</b>	<b>50</b>	<b>55</b>	<b>73</b>	<b>22,635</b>
rate	<b>938</b>	<b>314</b>	<b>730</b>	<b>920</b>	<b>532</b>	<b>1,069</b>	<b>1,524</b>	<b>1,489</b>	<b>972</b>	<b>811</b>	<b>1,680</b>	<b>1,343</b>	<b>2,181</b>	<b>923</b>
% change in rate*	<b>13.9</b>	<b>8.1</b>	<b>-4.4</b>	<b>-5.1</b>	<b>-3.3</b>	<b>11.8</b>	<b>3.8</b>	<b>16.9</b>	<b>6.6</b>	<b>2.9</b>	<b>38.5</b>	<b>-19.1</b>	<b>44.1</b>	<b>7.2</b>
Breaking & Entering														
number	397	31	434	327	1,572	3,801	972	1,762	1,716	1,255	71	136	60	12,534
rate	849	250	570	539	291	410	983	1,846	648	394	2,385	3,321	1,793	511
% change in rate*	5.1	-40.5	-27.0	-15.7	-11.3	-1.6	-8.1	11.0	5.3	-17.6	31.1	-51.5	-43.7	-5.6
Motor Vehicle Theft														
number	76	47	192	109	596	1,762	790	686	807	555	26	30	24	5,700
rate	162	379	252	180	110	190	799	719	305	174	873	733	717	232
% change in rate*	24.6	113.2	35.1	-1.9	-20.1	12.6	6.7	-4.5	-1.5	6.8	52.5	-11.7	3.4	3.4
Other Theft														
number	376	65	511	685	2,011	7,936	1,315	1,430	2,779	3,178	65	52	12	20,415
rate	804	524	671	1,130	372	857	1,329	1,498	1,049	997	2,183	1,270	359	833
% change in rate*	-13.3	-20.9	-43.4	0.4	-17.3	1.8	-20.4	4.3	-2.0	-11.9	-11.2	32.9	-54.5	-6.8
<b>Property crime - Total</b>														
number	<b>920</b>	<b>171</b>	<b>1,474</b>	<b>1,297</b>	<b>4,630</b>	<b>16,860</b>	<b>3,403</b>	<b>4,596</b>	<b>6,603</b>	<b>5,777</b>	<b>185</b>	<b>233</b>	<b>99</b>	<b>46,248</b>
rate	<b>1,967</b>	<b>1,378</b>	<b>1,935</b>	<b>2,139</b>	<b>856</b>	<b>1,820</b>	<b>3,440</b>	<b>4,816</b>	<b>2,493</b>	<b>1,812</b>	<b>6,214</b>	<b>5,690</b>	<b>2,958</b>	<b>1,886</b>
% change in rate*	<b>-5.3</b>	<b>-0.8</b>	<b>-26.6</b>	<b>-1.8</b>	<b>-13.9</b>	<b>1.9</b>	<b>-9.4</b>	<b>6.2</b>	<b>1.5</b>	<b>-10.8</b>	<b>16.0</b>	<b>-35.5</b>	<b>-37.1</b>	<b>-3.8</b>
Offensive weapons														
number	10	5	24	13	56	741	156	78	233	203	4	1	4	1,528
rate	21	40	32	21	10	80	158	82	88	64	134	24	120	62
% change in rate*	-20.6	...	-33.4	-51.5	-13.8	9.0	-12.0	12.4	16.5	17.4	99.4	-67.6	89.5	6.1
Mischief														
number	178	30	299	233	693	2,388	515	742	1,042	805	29	40	6	7,000
rate	381	242	392	384	128	258	521	778	393	253	974	977	179	286
% change in rate*	14.9	10.9	-11.9	-6.4	3.7	5.3	14.1	15.7	12.3	-3.6	44.6	14.2	-74.2	5.6
<b>Other Criminal Code - Total</b>														
number	<b>645</b>	<b>98</b>	<b>1,041</b>	<b>894</b>	<b>2,594</b>	<b>13,182</b>	<b>2,252</b>	<b>3,721</b>	<b>4,484</b>	<b>2,716</b>	<b>148</b>	<b>158</b>	<b>45</b>	<b>31,978</b>
rate	<b>1,379</b>	<b>790</b>	<b>1,366</b>	<b>1,474</b>	<b>480</b>	<b>1,423</b>	<b>2,277</b>	<b>3,899</b>	<b>1,693</b>	<b>852</b>	<b>4,971</b>	<b>3,858</b>	<b>1,344</b>	<b>1,304</b>
% change in rate*	<b>10.6</b>	<b>37.7</b>	<b>-10.1</b>	<b>-18.7</b>	<b>3.6</b>	<b>10.4</b>	<b>7.9</b>	<b>0.8</b>	<b>7.6</b>	<b>0.0</b>	<b>36.6</b>	<b>18.0</b>	<b>1.5</b>	<b>5.7</b>
<b>CRIMINAL CODE - TOTAL - (Excluding Traffic)</b>														
number	<b>2,004</b>	<b>308</b>	<b>3,071</b>	<b>2,749</b>	<b>10,100</b>	<b>39,942</b>	<b>7,162</b>	<b>9,738</b>	<b>13,663</b>	<b>11,078</b>	<b>383</b>	<b>446</b>	<b>217</b>	<b>100,861</b>
rate	<b>4,284</b>	<b>2,482</b>	<b>4,031</b>	<b>4,534</b>	<b>1,868</b>	<b>4,311</b>	<b>7,241</b>	<b>10,204</b>	<b>5,158</b>	<b>3,475</b>	<b>12,865</b>	<b>10,891</b>	<b>6,483</b>	<b>4,114</b>
% change in rate*	<b>3.3</b>	<b>10.2</b>	<b>-18.0</b>	<b>-8.6</b>	<b>-6.9</b>	<b>7.0</b>	<b>-1.8</b>	<b>5.5</b>	<b>4.4</b>	<b>-5.4</b>	<b>26.0</b>	<b>-20.8</b>	<b>-14.0</b>	<b>1.4</b>

\* In comparison to the previous year rate. Percent change based on unrounded rates.

... Figures not appropriate or applicable

- Nil or zero

<sup>1</sup> Rates are calculated on the basis of 100,000 population. The population estimates come from the Annual Demographic Statistics, 2000 report, produced by Statistics Canada, Demography Division.

Populations as of July 1st: updated postcensal estimates for 1999 and preliminary postcensal estimates for 2000.

Source: Uniform Crime Reporting Survey, CCJS.



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## HOMICIDE IN CANADA – 2000

by Orest Fedorowycz

### Highlights

- There were 542 homicides in Canada in 2000, 4 more than the previous year. The national homicide rate remained unchanged at 1.76 homicides per 100,000 population. This rate has generally been decreasing since the mid-1970s.
- Most victims of homicide knew their killer. In 2000, about one-third of all solved homicides were committed by a family member, one-half by an acquaintance (including illegal business relationships), and the remaining 17% by a stranger.
- In general, 2000 saw a continuation of the recent decline in spousal and other family homicides, but an increase in gang-related killings. The number of gang-related murders has more than tripled over the past five years, from 21 homicides in 1995 to 71 in 2000.
- Almost three-quarters of all homicide victims in 2000 were male, slightly higher than the historical average of about two-thirds. Over half (55%) of female victims were killed by a person with whom they had an intimate relationship at one point in time, either through marriage or dating, compared to 7% of male victims. Males tended to be killed by acquaintances. As in past years, 9 in 10 accused were male.
- According to police-reported data, two-thirds of all persons accused of homicide and half of all homicide victims (over the age of 12) in 2000 had a criminal record. Almost 70% of those accused with a criminal record had previously been convicted of violent crimes, including five for homicide. All five had completed their sentence and were living in the community at the time of the homicide.
- Firearms continued to account for about one-third (34%) of all homicides in 2000, with handguns accounting for almost 6 in 10 shootings. Stabbings comprised a further 28% and beatings, 23%. Although the number of homicides committed with a firearm has increased by 21% (an increase of 32 homicides) since 1998, the 183 firearm homicides in 2000 were still fewer than the average of 200 per year during the 1990s.
- There were 41 youths accused of committing homicide in 2000, 4 fewer than in 1999 and 11 fewer than the average over the past decade. Over this time period, the youth homicide rate has remained relatively stable, while the homicide rate for adult-accused has been declining.
- There were 17 persons killed "on the job" in 2000, down from 21 the previous year. The most common occupations at risk included retail business owners/managers, "bouncers", and taxi drivers.
- As is the case historically, homicide rates were generally higher in the west than in the east in 2000. Among the provinces, Manitoba recorded the highest rate (2.61 homicides per 100,000 population) followed by Saskatchewan (2.54). The lowest rates were found in Newfoundland (1.11), New Brunswick (1.32) and Ontario (1.33). Both British Columbia and Ontario recorded their lowest homicide rate since the mid 1960s.
- Among the nine largest metropolitan areas, Winnipeg reported the highest homicide rate followed by Montreal and Vancouver, while Ottawa and Hamilton reported the lowest rates. For the remaining seventeen metropolitan areas with populations between 100,000 and 500,000, Regina and Saskatoon, each with 7 homicides, had the highest rates, while Hull and London had the lowest.

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## INTRODUCTION

The 2000 police-reported statistics indicate that the overall crime rate in Canada decreased for the ninth consecutive year and is at its lowest point since 1978.<sup>1</sup> In addition, data from studies such as the 1999 General Social Survey (GSS)<sup>2</sup> suggest that many Canadians perceive crime as having stabilized over the past five years and feel less fearful of being a victim of crime in their neighbourhoods. Despite these positive indicators, the violent crime rate increased by 3% in 2000, the first increase in seven years. This report examines trends and characteristics for the most serious violent crime – homicide. In addition, the report compares rates among major metropolitan areas, provinces and territories, and selected countries.

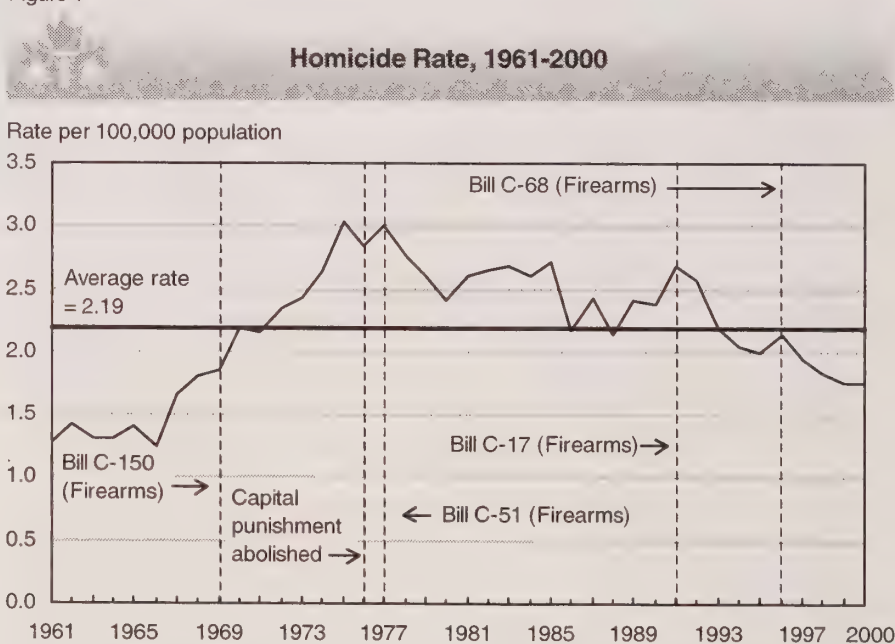
In Canada, criminal homicide is classified as first degree murder, second degree murder, manslaughter or infanticide (see Glossary section for definitions). Deaths caused by criminal negligence, suicide, accidental or justifiable homicides are not included in this classification.

## GENERAL TRENDS

### Homicide rate remains at lowest level since 1967

Homicide is a relatively rare occurrence in Canada. The 542 homicides reported in 2000 (4 more than the previous year) accounted for 0.02% of the 2.4 million *Criminal Code* incidents reported to police. By comparison, there were nearly one and one-half times more attempted murders, almost seven times more suicides,<sup>3</sup> and over 400 times as many assaults as homicides.

Figure 1



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.

<sup>1</sup> Logan, R. 2001. *Canadian Crime Statistics - 2000*, Juristat, Catalogue 85-002-XPE, Vol. 21 No. 8. Ottawa: Statistics Canada.

<sup>2</sup> For more information, see Besserer, S. and C. Trainor 2000. *Criminal Victimization in Canada, 1999*, Juristat, Catalogue 85-002-XPE, Vol. 20, No. 10. Ottawa: Statistics Canada.

<sup>3</sup> Statistics Canada. *Causes of Death*, Catalogue 84-208, Health Statistics Division, 1999.

Since 1961, when national homicide statistics were first collected, there have been two distinct trends. After several years of stability, the homicide rate increased steadily from 1.25 per 100,000 population in 1966 to a peak of 3.03 in 1975, an increase of 142%. Since 1975, despite yearly fluctuations, the homicide rate has gradually declined, reaching a rate of 1.76 in 2000, a decrease of 42% compared to 1975 (Figure 1).

### Homicide rate also decreasing in United States and many other countries

According to preliminary figures, the Federal Bureau of Investigation reported a 1.1% decrease in the number of homicides in the United States in 2000.<sup>4</sup> There were about 15,500 homicides reported for that year, representing a rate of about 5.50 per 100,000 population. The homicide rate as well as the crime rate have been decreasing in both Canada and the United States over the past decade. Although Canada's homicide rate is generally three to four times lower than the USA rate, it is still higher than rates in many European countries, such as Switzerland and Italy. In 2000, Canada's homicide rate was very similar to the rate in France and Australia's (Table 1).<sup>5</sup>

The rate of attempted murders in Canada declined between 1991 and 1999, similar to the trend in the homicide rate. However, in 2000, the rate of attempted murders (2.49 per 100,000 population) increased by 11% from the previous year, the only year-over-year increase since 1991.<sup>6</sup>

Table 1

#### Homicide Rates for Selected Countries, 2000

Country	Homicide rate per 100,000
Russia	19.68
United States	5.50
Finland	2.80
Hungary	2.14
Sweden	2.00
Australia	1.80
France	1.78
<b>Canada</b>	<b>1.76</b>
England & Wales	1.37 <sup>e</sup>
Italy	1.32
Switzerland	0.95
Japan	0.52

<sup>e</sup> estimated number

<sup>4</sup> United States Bureau of Justice Statistics.

<sup>5</sup> Information provided by the National Central Bureau - Interpol Ottawa.

<sup>6</sup> Logan, R. 2001. Canadian Crime Statistics - 2000, Juristat, Catalogue 85-002-XPE, Vol. 21 No.8. Ottawa: Statistics Canada.

## GEOGRAPHICAL PATTERNS IN HOMICIDE

### Homicide rate increases in all but three provinces

The decline in the national homicide rate since the mid-1970s was also reflected in the rates for most provinces during that period. The exception was the Atlantic Provinces where homicide rates have generally been below the national rate and have remained relatively constant over the last 20 years.

Historically, rates in the Western provinces and the Territories have generally been higher than the national rate. This was still the case in 2000 (Figure 2). Among the provinces, Manitoba recorded the highest rate (2.61 homicides per 100,000 population), followed by Saskatchewan (2.54). The lowest rates were in Newfoundland (1.11), New Brunswick (1.32) and Ontario (1.33). The homicide rate in Ontario was the lowest since 1966.

Only three provinces reported decreases in the number of homicides in 2000 - British Columbia, Ontario, and Alberta. The largest decline was seen in British Columbia where the number of homicides dropped from 110 in 1999 to 85 in 2000. This resulted in the lowest rate in that province since 1964 (Table 2).

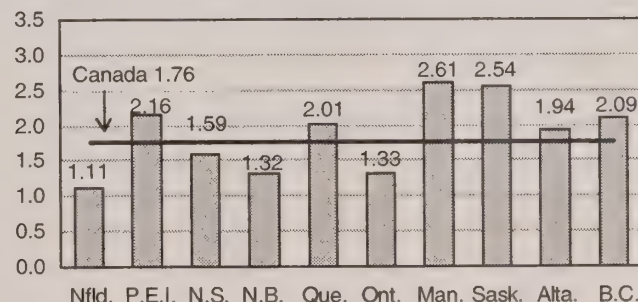
### Homicide not an urban phenomenon

Crime, particularly homicide, is often considered to be an urban phenomenon. However, historical data show that the homicide rate for Canada's census metropolitan areas (CMAs) as a whole is virtually identical with the total rate for smaller non-CMA areas. In 2000, the homicide rate for the 37% of the population living in non-metropolitan areas of less than 100,000 population was 1.71, almost identical to the national rate (1.76).

Figure 2

#### Homicide Rates by Province, 2000

Rate per 100,000 population



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.



Table 2

### Homicides by Province/Territory, 1999<sup>r</sup> and 2000

Province/Territory	2000 <sup>1</sup>		1999 <sup>2</sup>		Average 1990-1999 <sup>3</sup>	
	Number	Rate <sup>4</sup>	Number	Rate <sup>4</sup>	Number	Rate <sup>4</sup>
Newfoundland	6	1.11	2	0.37	5	0.90
Prince Edward Island	3	2.16	1	0.73	1	0.75
Nova Scotia	15	1.59	13	1.38	19	2.00
New Brunswick	10	1.32	9	1.19	11	1.48
Québec	148	2.01	137	1.86	151	2.10
Ontario	155	1.33	162	1.41	192	1.76
Manitoba	30	2.61	26	2.28	33	2.95
Saskatchewan	26	2.54	13	1.27	27	2.63
Alberta	58	1.94	61	2.06	66	2.43
British Columbia	85	2.09	110	2.73	115	3.12
Yukon	2	6.52	1	3.22	2	4.91
Northwest Territories <sup>5</sup>	1	2.38	1	2.43	6	8.85
Nunavut	3	10.83	2	7.41	...	...
<b>CANADA</b>	<b>542</b>	<b>1.76</b>	<b>538</b>	<b>1.76</b>	<b>627</b>	<b>2.15</b>

... figures not appropriate or not applicable

<sup>r</sup> revised

<sup>1</sup> The following number of homicides were reported and included in 2000 but occurred in previous years: Ont. - 3; N.S. - 1; N.B. - 1; TOTAL - 5.

<sup>2</sup> The following number of homicides were reported and included in 1999 but occurred in previous years: Ont. - 3; B.C. - 1; TOTAL - 4.

<sup>3</sup> Numbers may not add to totals because of rounding.

<sup>4</sup> Rates are calculated per 100,000 population.

<sup>5</sup> Population estimates at July 1st, provided by Statistics Canada, Census and Demographic Statistics, Demography Division.

<sup>6</sup> Includes Nunavut before 1999. See text for further explanation.

Source: 'Homicide Survey, Canadian Centre for Justice Statistics, October 2001.

#### Territories: a homicide profile

Although the actual number of homicides each year is very low, the corresponding rate can be quite high due to the relatively small population of these areas. Small changes in the actual number of homicides can result in dramatic fluctuations in the rate. Homicide rates in the Territories are usually higher than those in the provinces (Tables 10 and 11).

On April 1<sup>st</sup>, 1999, Nunavut officially became a Canadian territory. The table below shows homicide statistics for the period 1991 to 2000 according to the current boundaries. Although populations in the three territories are lower than 100,000, rates are based on this number for comparability purposes with provincial figures.

#### Homicide Numbers and Rates<sup>1</sup> in Territories, 1991-2000

Territory	1991	1992	1993	1994	1995	1996	1997	1998	1999 <sup>r</sup>	2000
number										
Nunavut	1	2	3	3	1	2	1	4	2	3
NWT (excludes Nunavut)	2	11	4	1	2	2	2	1	1	1
Yukon	-	2	-	3	4	-	1	3	1	2
rate										
Nunavut	4.50	8.71	12.68	12.25	3.99	7.77	3.85	15.12	7.40	10.83
NWT (excludes Nunavut)	5.17	27.89	10.03	2.46	4.82	4.78	4.78	2.44	2.40	2.38
Yukon	0.00	6.61	0.00	9.98	12.95	0.00	3.10	9.50	3.26	6.52

- nil or zero

<sup>r</sup> revised

<sup>1</sup> Rates per 100,000 population.

Census Metropolitan Area (CMA) - a large urban core (population of 100,000 and over) together with adjacent urban and rural areas which have a high degree of economic and social integration. The areas that police forces serve may differ in their mix of urban/suburban populations, making the comparability of crime rates among these forces difficult. This lack of comparability is addressed by analyzing crime rates by CMA. Usually, more than one police force is responsible for enforcing the law within the boundaries of a CMA.

had a rate of 2.16 compared to 1.37 for the eight mid-sized CMAs, and 1.83 for the nine largest CMAs. It is important to note that, due to the relatively small number of homicides within some of the smaller CMAs, homicide rates for these areas can change dramatically from year to year.

Among the nine largest CMAs with populations of 500,000 and greater, Winnipeg reported the highest rate (2.50), followed by Montréal (2.07), and Vancouver (2.05). The homicide rates for both Vancouver and Edmonton were their lowest since CMA data were first tabulated in 1981. The lowest rates were reported for Ottawa (0.97) and Hamilton (1.34). Toronto, Canada's largest metropolitan area, recorded a rate (1.70) slightly lower than the national rate.

Table 3 divides the CMAs into three population categories: nine CMAs with populations of 500,000 and over, eight CMAs with populations of 250,000 – 499,999, and nine CMAs with populations of 100,000 – 249,999. Historically, the largest CMAs have generally shown the highest rates. However, for the year 2000, the nine smallest metropolitan areas as a group

Table 3

### Homicides by Census Metropolitan Area, 1999<sup>r</sup> and 2000

Census Metropolitan Area	2000 <sup>1</sup>			1999 <sup>2r</sup>			Average 1990-1999 <sup>3</sup>	
	Population	Number	Rate <sup>4</sup>	Population	Number	Rate <sup>4</sup>	Number	Rate <sup>4</sup>
<b>500,000+population</b>								
Toronto	4,751,408	81	1.70	4,665,727	61	1.31	79	1.84
Montréal	3,480,342	72	2.07	3,447,237	71	2.06	86	2.58
Vancouver	2,048,823	42	2.05	2,027,899	57	2.81	56	3.09
Calgary	952,960	16	1.68	925,578	13	1.40	17	2.02
Edmonton	944,194	19	2.01	928,308	20	2.15	25	2.79
Ottawa <sup>5</sup>	822,933	8	0.97	812,644	12	1.48	12	1.57
Québec	689,654	12	1.74	688,297	10	1.45	11	1.62
Winnipeg	681,146	17	2.50	680,014	15	2.21	18	2.70
Hamilton	671,679	9	1.34	664,499	16	2.41	12	1.86
<b>Total</b>	<b>15,043,139</b>	<b>276</b>	<b>1.83</b>	<b>14,840,203</b>	<b>275</b>	<b>1.85</b>	<b>316</b>	<b>2.27</b>
<b>250,000 - 499,999 population</b>								
Kitchener	446,311	8	1.79	439,256	2	0.46	5	1.26
St. Catharines-Niagara	422,995	4	0.95	421,384	7	1.66	7	1.69
London	377,523	2	0.53	418,536	5	1.19	5	1.28
Halifax	355,996	8	2.25	352,396	7	1.99	8	2.33
Victoria	317,492	7	2.20	316,933	9	2.84	7	2.11
Windsor	304,390	6	1.97	300,079	7	2.33	7	2.36
Oshawa	297,869	2	0.67	292,486	2	0.68	4	1.37
Hull <sup>6</sup>	258,053	1	0.39	255,415	5	1.96	4	1.59
<b>Total</b>	<b>2,780,629</b>	<b>38</b>	<b>1.37</b>	<b>2,796,485</b>	<b>44</b>	<b>1.57</b>	<b>46</b>	<b>1.72</b>
<b>100,000 - 249,999 population</b>								
Saskatoon	232,600	7	3.01	230,910	4	1.73	7	2.94
Regina	200,455	7	3.49	199,998	2	1.00	5	2.53
St. John's	175,062	3	1.71	175,532	-	0.00	2	1.25
Sudbury	157,132	1	0.64	159,341	4	2.51	4	2.56
Sherbrooke	152,897	4	2.62	152,548	2	1.31	2	1.22
Chicoutimi-Jonquière	145,014	4	2.76	146,689	2	1.36	1	0.86
Saint John	146,844	1	0.68	146,901	1	0.68	3	1.99
Trois-Rivières	141,785	4	2.82	141,918	-	0.00	2	1.20
Thunder Bay	126,343	1	0.79	127,063	4	3.15	4	2.86
<b>Total</b>	<b>1,478,132</b>	<b>32</b>	<b>2.16</b>	<b>1,480,900</b>	<b>19</b>	<b>1.28</b>	<b>29</b>	<b>1.98</b>
<b>CMA TOTALS</b>	<b>19,301,900</b>	<b>346</b>	<b>1.79</b>	<b>19,117,588</b>	<b>338</b>	<b>1.77</b>	<b>391</b>	<b>2.16</b>
<b>&lt; 100,000 population</b>	<b>11,448,187</b>	<b>196</b>	<b>1.71</b>	<b>11,375,845</b>	<b>200</b>	<b>1.76</b>	<b>236</b>	<b>2.13</b>
<b>CANADA</b>	<b>30,750,087</b>	<b>542</b>	<b>1.76</b>	<b>30,493,433</b>	<b>538</b>	<b>1.76</b>	<b>627</b>	<b>2.15</b>

- nil or zero

<sup>r</sup> revised

<sup>1</sup> The following number of homicides were reported and included in 2000 but occurred in previous years: Saint John - 1; Hamilton - 1; Toronto - 1; St. Catharines-Niagara - 1; Areas < 100,000 population - 1; TOTAL - 5.

<sup>2</sup> The following number of homicides were reported and included in 1999 but occurred in previous years: Hamilton - 1; Areas < 100,000 population - 3; TOTAL - 4.

<sup>3</sup> Numbers may not add to totals because of rounding.

<sup>4</sup> Rates are calculated per 100,000 population. Population estimates at July 1<sup>st</sup>, provided by Statistics Canada, Census and Demographic Statistics, Demography Division.

<sup>5</sup> Ottawa refers to the Ontario part of the Ottawa-Hull CMA.

<sup>6</sup> Hull refers to the Quebec part of the Ottawa-Hull CMA.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.



Among the CMAs with populations of 250,000 - 499,999, Halifax reported the highest homicide rate (2.25), followed by Victoria (2.20), while Hull (0.39) and London (0.53) reported the lowest.

For CMAs with populations less than 250,000, Regina (3.49) reported the highest rate followed by Saskatoon (3.01). In fact, the five highest homicide rates in Canada were recorded in this CMA group. The lowest rates were reported for Sudbury (0.64) and Saint John (0.68). It should be noted that because of their small populations, any fluctuations in the number of homicides for the cities in this CMA group will greatly affect their homicide rate.

## CHARACTERISTICS OF HOMICIDE INCIDENTS

### Half of all homicides are first degree murders

With the abolition of capital punishment in 1976 (Bill C-105), murder was categorized into first and second-degree. In 2000, half (54%) of all homicides were classified by police as first degree murder, 35% as second degree murder, 10% as manslaughter, and less than 1% (5 cases) as infanticide.<sup>7</sup>

The classification of homicide offences in this report is based upon initial police investigation. In the transition period from initial police charging of the accused to final court disposition, the legal classification of an incident may change.

### Only 5% of homicide incidents involved more than one victim

Multiple victim homicides tend to receive more attention from the media and public than single victim homicides. In 2000, the majority (95%) of the 512 separate homicide incidents involved a single victim, while 5% (24) were multiple-victim

incidents. Two in five victims (43%) in solved multiple-victim incidents were acquaintances of the accused, and one-third (35%) of the victims were family members of the accused (i.e., immediate or extended family members related through blood, marriage or adoption), down from 49% in 1999 and 68% in 1998. A further 10% of victims were non-spousal intimates with the accused, and 12% were strangers.

### Most murder-suicides are family-related

In 2000, 5% (27 incidents) of all homicide incidents were murder-suicides, a slightly lower percentage than the average of 7% for the past 20 years. During this period, the number of murder-suicide incidents reached a high of 59 in 1992. All but one of the suspects who committed suicide in these incidents in 2000 were male. Over half (56%) of these murder-suicides were family-related, down from 87% the previous year, a figure which has been relatively constant over the past 20 years.

Of these 15 family-related murder-suicides in 2000, 10 involved men killing their spouse, 3 involved men killing both their spouse and children, one involved a father killing his child, and one involved a mother killing her child.

### Gang-related homicides more than triple since 1995

For the past few years, the police and the justice community have been investigating the involvement of organized criminal groups in crime, such as homicides perpetrated by bikers fighting over control of the lucrative drug market. Between 1991 and 1995, there was an average of 20 gang-related homicides each year. Since 1995, the number of such homicides has more than tripled, from 21 in 1995 to 71 in 2000 (Table 4). Gang-related murders now account for one out of every eight homicide victims. Over half (53%) of these incidents in 2000 occurred in Québec, accounting for one in four homicide incidents in that province.

<sup>7</sup> See Glossary of Terms for definitions of criminal homicide.

Table 4

### Gang-related Homicides, 1991-2000

#### Gang-related incidents

Year	Drug-related	Settling of Accounts	Other Motives	Total Number of Incidents	Total Number of Victims	Gang-related incidents as a % of all homicide incidents
	number					
1991	9	4	7	20	22	2.8
1992	9	6	4	19	19	2.8
1993	8	2	2	12	13	2.0
1994	15	6	2	23	24	4.1
1995	8	2	9	19	21	3.4
1996	21	3	2	26	29	4.5
1997	8	8	12	28	29	5.2
1998	18	19	11	48	51	9.1
1999 <sup>r</sup>	19	19	6	44	45	8.7
2000	33	23	8	64	71	12.5
Average 1991-95	10	4	5	19	20	3.0
Average 1996-00	20	14	8	42	45	8.0

<sup>r</sup> revised

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.

Approximately nine in ten gang-related homicides in 2000 involved drug trafficking and the settling of accounts; the remainder, gang rivalries and disputes. Over 80% of victims were shot, while the rest were either stabbed or beaten.

Drugs and drug dealing are believed to be linked directly to many types of crimes, including homicide. In 2000, one in seven (77) homicide incidents were reported by the police to be drug-related, up from the previous year, but similar to the average between 1991 and 1999.<sup>8</sup> Of the 82 victims of drug-related homicides in 2000, 64 were reported by the police to be drug dealers.<sup>9</sup>

### Three in four homicide incidents solved by police

During 2000, the police solved 74% of all reported homicide incidents through the identification of at least one accused. Over the past ten years, this proportion has fluctuated between 75% and 85%. Since the process of solving a homicide can sometimes be complex and time-consuming, an incident may not be solved until after the year in which it was initially recorded. These data for 2000, therefore, underestimate final police clearance rates.

Of those homicide incidents cleared by police in 2000, 92% were cleared by a charge being laid or recommended and 7% by the accused having committed suicide immediately following the offence. The remaining 1% were cleared for other reasons, eg., Crown chose not to proceed because of the advanced age and mental condition of the accused, accused person committed to a psychiatric facility, or the accused person was less than 12 years old.

### Six in ten homicides occur in residences

Of the 501 homicide incidents with a known location (11 were unknown) in 2000, six in ten took place in a private residence, the majority (78%) of which were in a residence occupied by the victim (either solely or, in some cases, jointly with the

accused). The majority of spousal homicides (88%) and other homicides within the family (90%) occurred in private residences.

The remaining locations were distributed as follows: 27% in an open area (e.g., a parking lot, street or field), 10% in a commercial area (e.g., bar, bank, restaurant), 8% in a private vehicle and the remaining 3% in a public institution (eg., correctional facility, hospital, nursing home, detoxification centre, psychiatric facility, public swimming pool, or school).

## FIREARMS

### Firearms continue to account for one-third of all homicides

With the exception of three years (1990, 1995, 1998) shooting has been the most common method used in homicides since statistics were first collected in 1961. In 2000, shooting accounted for 34% of all homicides, stabbing 28%, beating 23%, strangulation/suffocation 7%, shaking (Shaken Baby Syndrome) 2%, fire (burns/suffocation) 1%, struck by vehicle 1%, and poisoning 1% (Table 5). The 13 incidents of shaking were double the figure reported each year since 1997.

Homicides account for a relatively small portion of all firearm-related deaths. Of the 1,043 deaths in Canada involving firearms in 1998 (the latest year for which figures are available), the largest proportion of these deaths were due to suicide (78%), followed by homicide (15%), and accidents 4%).<sup>10</sup>

<sup>8</sup> This question was added to the Homicide Survey in 1991.

<sup>9</sup> For more information, see Tremblay, S. 1999. *Illicit Drugs and Crime in Canada*, Juristat, Catalogue 85-002-XPE, Vol. 19, No. 1. Ottawa: Statistics Canada.

<sup>10</sup> Statistics Canada. *Causes of Death*, Catalogue 84F-0208-XPB, Health Statistics Division, 1999.

Table 5

### Homicides by Cause of Death, 1999<sup>r</sup> and 2000

Cause of Death	2000		1999 <sup>r</sup>		Average 1990-1999 <sup>1</sup>	
	Number	Percentage	Number	Percentage	Number	Percentage
Shooting	183	33.8	165	30.7	200	32.0
Stabbing	149	27.5	143	26.6	187	29.9
Beating	127	23.4	125	23.2	126	20.2
Strangulation	39	7.2	55	10.2	68	10.8
Shaken Baby Syndrome	13	2.4	7	1.3	68	11
Struck by vehicle	6	1.1	13	2.4	...	...
Poisoning	4	0.7	5	0.9	6	1.0
Fire (burns / suffocation)	3	0.6	11	2.0	19	3.0
Other <sup>2</sup>	11	2.0	6	1.1	13	2.0
Unknown	7	1.3	8	1.5	7	1.0
<b>Total</b>	<b>542</b>	<b>100.0</b>	<b>538</b>	<b>100.0</b>	<b>627</b>	<b>100.0</b>

... figures not appropriate or not applicable

<sup>r</sup> revised

<sup>1</sup> Numbers may not add to totals because of rounding.

<sup>2</sup> Includes heart attacks, exposure, etc.

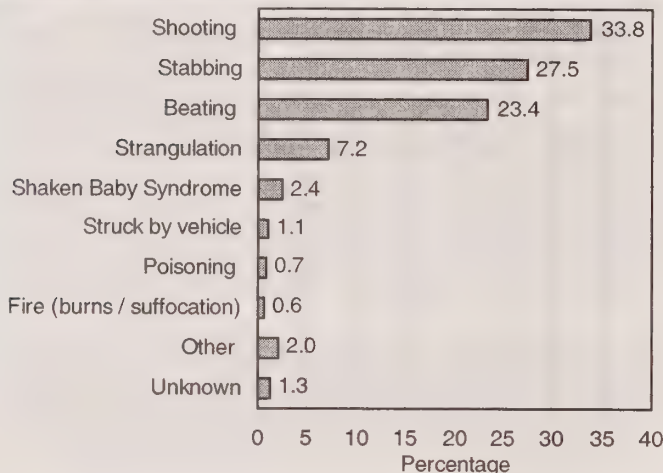
Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.



Since 1979, firearms have been used in about one-third of all homicides each year. This trend continued in 2000 with 34% of all homicides committed with a firearm. The 183 shootings in 2000 were distributed as follows: 107 (58%) with a handgun, 56 (31%) with a rifle/shotgun, 11 (6%) with a sawed-off rifle/shotgun, 5 (3%) with a fully-automatic firearm, and 4 (2%) with other types of firearms (Table 6, Figure 3).

Figure 3

#### Methods Used to Commit Homicide, 2000



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.

Handguns were used in about 3 in 10 firearm homicides until 1990. Between 1990 and 1992, homicides using handguns increased significantly, representing half of all firearm homicides during those years. This proportion has remained relatively constant until 2000, when handguns accounted for six in ten firearm-related homicides. In Australia, some researchers have attributed increases in the use of handguns in homicides to the introduction of new, more restrictive firearm regulations - "offenders tend to use firearms that are easily concealable and available on the black market, such as handguns"<sup>11</sup>.

Over the last decade, there has been a corresponding decrease in the use of rifles/shotguns (includes sawed-off firearms), from 51% of all firearm-related homicides and a rate of 0.36 per 100,000 population in 1990 to 37% and a rate of 0.22 per 100,000 population in 2000 (Table 6, Figure 4).

#### Two in three recovered handguns were not registered

In 1997, the Homicide Survey began collecting the following supplementary information on firearms: firearm registration, ownership, possession of a valid FAC or Firearms Licence by the suspect, firearm status, and classification of the firearm (whether restricted or prohibited). Analysis of these data focus on handguns used in homicides, as police have been required for some time to record this information as part of their investigations.

#### Firearm Legislation

Canada has adopted a number of legislative measures that are aimed at reducing firearm deaths and injuries. In 1969, Parliament amended the *Criminal Code* (Bill C-150), which for the first time made it illegal to provide firearms to persons of "unsound mind" or criminals under prohibition orders. The legislation also expanded the definition of a "firearm," which prior to 1969, referred to only handguns and automatic firearms, and introduced non-restricted, restricted, and prohibited firearm categories.

In 1977, Parliament again amended the *Criminal Code* (Bill C-51), requiring individuals to obtain a Firearms Acquisition Certificate (FAC) before acquiring firearms. The legislation also introduced a variety of provisions including regulations on safe storage and display of firearms for businesses and bona-fide gun collectors, and mandatory minimum sentences to deter the criminal use of firearms.

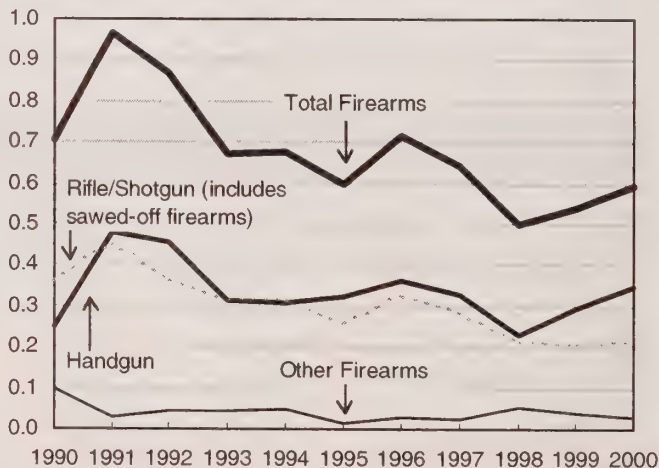
In 1991, Parliament strengthened the screening provisions for FAC applicants by introducing new legislation (Bill C-17). A multi-page form with a variety of questions concerning the applicant's personal and criminal history, personal references, picture, and a mandatory 28-day waiting period for approved FAC applicants were incorporated. Under this legislation all firearm owners have to comply with safe storage, handling, display, and transportation of firearms.

In December 1995, Parliament passed Canada's newest firearms legislation (Bill C-68) which created a new *Firearms Act* and amended the *Criminal Code*. The legislation created strict new penalties for firearms trafficking and smuggling, and tougher mandatory minimum sentences for 10 serious offences involving firearms. All firearm owners and users are now required to obtain a firearm licence, and all firearms will have to be registered by January 2003 (this includes non-restricted rifles and shotguns).

Figure 4

#### Rate of Firearm Homicides, 1990-2000

Rate per 100,000 population



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.

<sup>11</sup> Mouzos, J.2000, *The Licensing and Registration Status of Firearms Used in Homicide, Trends and Issues in Crime and Criminal Justice*, no. 151, Australian Institute of Criminology, Canberra, p.5.

Table 6

Homicides involving Firearms, 1974<sup>1</sup>-2000

Year	Firearm											
	Handgun		Rifle/Shotgun		Fully automatic firearm <sup>2</sup>		Sawed-off rifle/shotgun <sup>2</sup>		Other firearms <sup>2</sup>		Total	
	Number	% of Firearm Homicides	Number	% of Firearm Homicides	Number	% of Firearm Homicides	Number	% of Firearm Homicides	Number	% of Firearm Homicides	Number	Homicides involving firearms as a % of Total Homicides
1974	76	26.9	180	63.6	...	...	12	4.2	15	5.3	283	47.2
1975	88	30.1	183	62.7	...	...	10	3.4	11	3.8	292	41.7
1976	68	26.4	165	64.0	...	...	5	1.9	20	7.8	258	38.6
1977	61	23.5	161	61.9	...	...	14	5.4	24	9.2	260	36.6
1978	63	25.2	177	70.8	...	...	2	0.8	8	3.2	250	37.8
1979	54	26.1	135	65.2	...	...	4	1.9	14	6.8	207	32.8
1980	62	31.8	120	61.5	...	...	4	2.1	9	4.6	195	32.9
1981	59	29.6	123	61.8	...	...	2	1.0	15	7.5	199	30.7
1982	88	35.5	146	58.9	...	...	9	3.6	5	2.0	248	37.2
1983	78	34.8	127	56.7	...	...	4	1.8	15	6.7	224	32.8
1984	66	28.9	142	62.3	...	...	2	0.9	18	7.9	228	34.2
1985	73	32.9	131	59.0	...	...	9	4.1	9	4.1	222	31.5
1986	38	21.7	114	65.1	...	...	1	0.6	22	12.6	175	30.8
1987	58	28.7	108	53.5	...	...	7	3.5	29	14.4	202	31.4
1988	47	27.8	94	55.6	...	...	7	4.1	21	12.4	169	29.3
1989	54	24.8	131	60.1	...	...	3	1.4	30	13.8	218	33.2
1990	69	35.2	99	50.5	...	...	1	0.5	27	13.8	196	29.7
1991	135	49.8	103	38.0	6	2.2	25	9.2	2	0.7	271	35.9
1992	129	52.4	90	36.6	12	4.9	15	6.1	-	0.0	246	33.6
1993	90	46.6	76	39.4	11	5.7	15	7.8	1	0.5	193	30.8
1994	90	45.9	66	33.7	14	7.1	26	13.3	-	0.0	196	32.9
1995	95	54.0	61	34.7	5	2.8	15	8.5	-	0.0	176	29.9
1996	107	50.5	81	38.2	8	3.8	16	7.5	-	0.0	212	33.4
1997	99	51.3	77	39.9	2	1.0	10	5.2	5	2.6	193	32.9
1998	70	46.4	51	33.8	12	7.9	14	9.3	4	2.6	151	27.1
1999 <sup>r</sup>	89	53.9	58	35.2	6	3.6	6	3.6	6	3.6	165	30.7
2000	107	58.5	56	30.6	5	2.7	11	6.0	4	2.2	183	33.8
Average 1990-99	97	48.7	76	38.1	...	...	14	7.2	5	2.3	200	31.9

... figures not applicable or not appropriate

- nil or zero

r revised

<sup>1</sup> Detailed information on firearms is not available prior to 1974.<sup>2</sup> The addition of this new firearm category in 1991 and the improved identification of firearms and classification of sawed-off rifles/shotguns may account for some of the decrease in the numbers for the "other firearms" category.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.

The data suggest that most firearms used in handgun-related homicides were not registered and the suspects were not licensed firearm users. Studies in other countries on firearm use in homicides have reached similar conclusions.<sup>12,13</sup>

Between 1997 and 2000, there were 365 homicides committed with handguns. In 30% (110) of these homicides where the handgun was recovered, more than two-thirds (69%) of the handguns were not registered. The suspect owned the firearm in almost one-quarter of solved handgun-related homicides compared to 2% owned by the victim. In the remaining incidents, one-fifth of the handguns belonged to someone other than the suspect or victim, and in over half (54%) of cases, the ownership could not be determined. In addition, 11% of suspects in solved handgun-related homicides possessed a valid FAC or Firearms Licence; 49% of suspects did not; and, in 41% of cases this information was not known.

## ACCUSED-VICTIM RELATIONSHIP

The Homicide Survey collects data on the relationships between persons accused of homicide and their victims. Unless noted otherwise, these and other related distributions exclude "unsolved" homicide incidents where there was no accused identified (26% of all incidents in 2000).

The data collected through the Homicide Survey indicate that homicides are far more likely to be committed by someone known to the victim than by a stranger. Half (51%) of all solved homicides in 2000 were committed by an acquaintance (i.e.,

<sup>12</sup> Home Office 1998, Criminal Statistics England and Wales 1997, Research Development and Statistics Directorate, The Stationery Office, London.

<sup>13</sup> Mouzos, J. 2000, *The Licensing and Registration Status of Firearms Used in Homicide, Trends and Issues in Crime and Criminal Justice*, no. 151, Australian Institute of Criminology, Canberra.



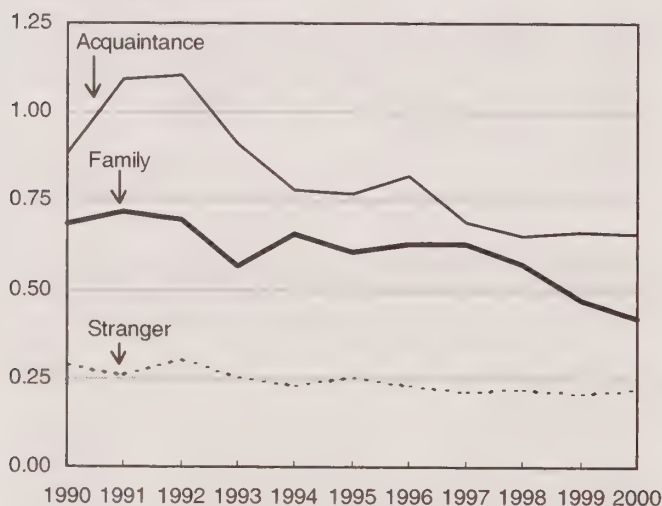
non-family) of the victim and almost one-third (32%) by a family member (Table 7). The remaining 17% were killed by strangers. Of the 202 victims in acquaintance homicides, 104 were killed by a "casual" acquaintance (not a particularly intense or close relationship established prior to the homicide), a further 30 were killed by a "close" acquaintance, 23 by a current or ex boyfriend/girlfriend, and 23 by someone known to them through a criminal relationship, which includes prostitutes, drug dealers and their clients.

The proportion of stranger homicides has remained relatively stable over the past ten years, ranging from 12% to 17% of all homicides (Figure 5). Almost six in ten (58%) incidents where victims were killed by strangers in 2000 occurred during the commission of another criminal offence, usually a robbery. Male victims were four-and-a-half times more likely to be killed by strangers (23%) than were female victims (5%).<sup>14</sup>

Figure 5

#### Homicides by Accused-Victim Relationship, 1990-2000

Rate per 100,000 population



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.

#### Family homicides continue declining

Family homicides involve spouses, parents, children, siblings or other members related either by blood, marriage or adoption. The recent declines in family homicides continued in 2000. The 129 family homicides were 15 fewer than in 1999, and 52 fewer than the previous ten-year average of 181. Most of this decline from 1999 to 2000 resulted from a large decrease in extended family killings (down from 16 in 1999 to 8 in 2000). The remaining family homicides included: 67 victims killed by a spouse, 31 by a parent, 17 by a son or daughter, and 6 by a sibling<sup>15</sup> (Table 7).

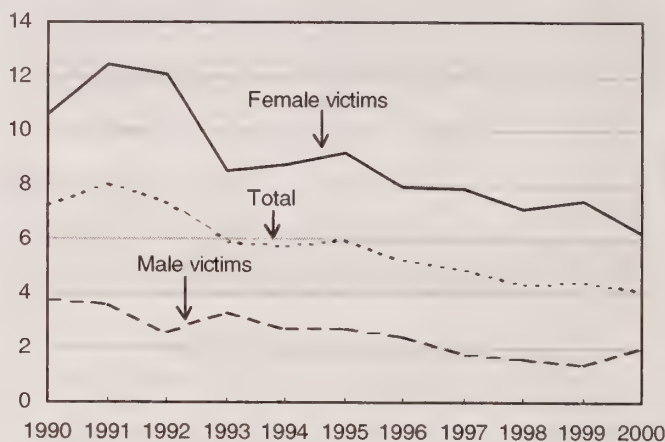
#### Spousal homicides decreasing

Spousal homicides have generally been decreasing since 1991, and in 2000 accounted for one out of every six solved homicides. They include persons in registered marriages, in common-law relationships and persons separated or divorced from such unions (Figure 6). In 2000, 67 persons were killed by a spouse, down from an average of 88 victims over the previous ten years. The decline in the number of spousal homicides in recent years may be the result of various factors such as increased societal intolerance of spousal abuse and mandatory charging policies in spousal assaults. In addition, reduced exposure to abusive or violent relationships as a consequence of improvements in the economic status of women, and increases in the availability of domestic violence services (e.g., safe houses or shelters, and counselling) may have contributed to the decrease in spousal homicides.<sup>16,17</sup>

Figure 6

#### Spousal Homicide Rate, 1990-2000

Rate per 1,000,000 couples



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.

<sup>14</sup> For more information on stranger homicides, see Janhevich, D. 1998. *Violence Committed by Strangers*. Juristat, Catalogue 85-002-XIE, Vol. 18, No. 9. Ottawa: Statistics Canada.

<sup>15</sup> For more information on family violence, see Trainor, C. and K. Mihorean, 2001. *Family Violence in Canada: A Statistical Profile 2001*, Catalogue 85-224-XPE, Ottawa: Statistics Canada.

<sup>16</sup> For more information on services available to abused spouses, see Locke, D. and R. Code. 2001. *Canada's Shelters for Abused Women, 1999-2000*. Juristat, Catalogue 85-002-XPE, Vol. 21, No. 1. Ottawa: Statistics Canada.

<sup>17</sup> Dugan, L., Nagin, D. and R. Rosenfeld, "Explaining the Decline in Intimate Partner Homicide", *Homicide Studies*, Vol. 3, No. 3, August 1999: 188.

Table 7

Solved Homicides by Accused-Victim Relationship<sup>1</sup>, 1999<sup>r</sup> and 2000

Relationship Type (Victims killed by:)	2000		1999 <sup>r</sup>		Average 1990-1999 <sup>2</sup>	
	Number of victims	Percent	Number of victims	Percent	Number of victims	Percent
<b>Family Relationship</b>						
Husband (legal and common-law)	37	9.3	38	9.2	52	10.4
Husband (separated/divorced)	14	3.5	20	4.8	17	3.4
Same sex spouse	-	0.0	3	0.7	...	...
Wife (legal and common-law)	13	3.3	8	1.9	17	3.5
Wife (separated/divorced)	3	0.8	2	0.5	2	0.3
<b>Total Spousal</b>	<b>67</b>	<b>16.8</b>	<b>71</b>	<b>17.2</b>	<b>88</b>	<b>17.5</b>
Father	21	5.3	22	5.3	27	5.4
Mother	10	2.5	9	2.2	16	3.3
Child	17	4.3	19	4.6	19	3.8
Sibling	6	1.5	7	1.7	11	2.1
Other family relation	8	2.0	16	3.9	20	4.1
<b>Total Family</b>	<b>129</b>	<b>32.3</b>	<b>144</b>	<b>34.9</b>	<b>181</b>	<b>36.2</b>
<b>Acquaintance</b>						
(ex) Boyfriend/girlfriend/other intimate	23	5.8	20	4.8	22	4.5
Close Acquaintance	30	7.5	29	7.0	36	7.1
Authority figure	5	1.3	4	1.0	...	...
Business associate (legal)	7	1.8	14	3.4	14	2.8
Criminal relationships <sup>3</sup>	23	5.8	28	6.8	32	6.4
Neighbour	10	2.5	12	2.9	22	4.5
Casual acquaintance	104	26.0	95	23.0	117	23.4
<b>Total Acquaintance</b>	<b>202</b>	<b>50.5</b>	<b>202</b>	<b>48.9</b>	<b>243</b>	<b>48.5</b>
<b>Stranger</b>	<b>68</b>	<b>17.0</b>	<b>64</b>	<b>15.5</b>	<b>72</b>	<b>14.3</b>
<b>Unknown relationship</b>	<b>1</b>	<b>0.3</b>	<b>3</b>	<b>0.7</b>	<b>4</b>	<b>0.9</b>
<b>TOTAL SOLVED HOMICIDES</b>	<b>400</b>	<b>100.0</b>	<b>413</b>	<b>100.0</b>	<b>500</b>	<b>100.0</b>

... figures not applicable or not appropriate

- nil or zero

<sup>r</sup> revised<sup>1</sup> Includes only homicide incidents in which there are known suspects. If there was more than one suspect, only the closest relationship to the victim was recorded.<sup>2</sup> Numbers may not add to totals because of rounding.<sup>3</sup> Includes prostitutes, drug dealers and their clients.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.

Although three in four spousal homicide victims were women in 2000, there were seven fewer wives killed and six more husbands killed than in 1999. In 2000, 37 women were killed by a current male spouse (legal or common-law) and 14 were killed by a separated or divorced male spouse. Of the 16 men killed by a female spouse in 2000, 13 were killed by a current spouse and 3 by a separated spouse. Regardless of gender, seven in 10 incidents of spousal homicides involved a history of domestic violence between the victim and the accused that was known to police.

In addition to those killed by a spouse, 16 females were killed by a current or ex-boyfriend, and 2 males were killed by a current or ex-girlfriend. In all, 55% of all female victims and 7% of all male victims in 2000 were killed by a person with whom they had an intimate relationship at one point in time, either through marriage or dating.

### Two-thirds of murdered children killed by a parent

There were 39 children (under the age of 12) murdered in 2000, 25% fewer than the average of 52 killed each year since 1990. In solved cases, two-thirds of these children were killed by

parents, and the remainder, mostly by acquaintances. In 2000, there were 24 parent-child homicide incidents involving 27 victims (Table 8).

Taking into account that some of these incidents involve multiple-accused and multiple-victims, the actual number of accused parents in 2000 were 15 fathers (11 biological fathers and 4 stepfathers) and 9 biological mothers.

The number of infants under one year of age who were killed increased from 11 in 1999 to 20 in 2000, just below the previous ten-year average of 21. Two-thirds of these infants were killed by parents, the rest primarily by a caregiver or sibling. Nine of these infants died as a result of shaking (Shaken Baby Syndrome), 7 at the hands of their parents and 2 by caregivers.

The figure for infant homicides may still be under-reported since some claims of accidental childhood deaths such as falls or "sudden infant deaths" could actually be due to child abuse. Since 1995, most provinces have legislated mandatory coroner inquests into deaths of children less than two years of age, which may have resulted in the increased reporting and classification of these cases as homicides in some years.



Table 8

### Children (<12 years) killed by parents, Canada, 1974-2000

Year	Number of Incidents	Number of Victims	Parent-child homicides as a % of all homicide incidents	Actual Number of Accused in Parent-Child Homicides				Ratio of accused (step) fathers to (step) mothers
				Father	Step-Father	Mother	Step-Mother	
1974	34	42	6.2	18	1	15	-	1.3
1975	26	27	4.1	13	-	13	-	1.0
1976	32	44	5.2	15	-	17	-	0.9
1977	38	43	6.0	14	3	21	-	0.8
1978	45	56	7.3	12	4	29	-	0.6
1979	36	47	6.2	16	2	18	-	1.0
1980	25	27	4.9	14	1	10	-	1.5
1981	24	27	3.9	8	2	14	-	0.7
1982	28	31	4.6	13	1	14	-	1.0
1983	31	32	4.9	16	1	14	-	1.2
1984	40	50	6.6	26	1	13	-	2.1
1985	29	31	4.4	14	1	14	-	1.1
1986	41	50	7.7	23	-	18	-	1.3
1987	27	30	4.5	17	-	10	-	1.7
1988	23	28	4.2	11	-	12	-	0.9
1989	28	37	4.8	11	2	15	-	0.9
1990	26	31	4.2	16	-	10	-	1.6
1991	24	28	3.4	8	1	13	2	0.6
1992	28	32	4.2	10	1	17	-	0.6
1993	32	32	5.4	13	4	15	-	1.1
1994	40	43	7.2	20	4	16	-	1.5
1995	32	36	5.7	18	2	11	1	1.7
1996	37	41	6.4	19	6	12	-	2.1
1997	45	54	8.4	18	3	23	1	0.9
1998	41	47	7.7	22	3	15	1	1.6
1999 <sup>r</sup>	23	26	4.6	13	3	7	-	2.3
2000	24	27	4.7	12	4	9	-	1.8
Average 1974-83	32	38	5.3	14	2	17	-	0.9
Average 1984-93	30	35	4.9	15	1	14	-	1.1
Average 1994-99	36	41	7.2	18	4	14	1	1.5

- nil or zero  
r revised

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.

## AGE AND SEX OF VICTIMS AND ACCUSED

### Males account for three-quarters of victims and 90% of accused

Historically, about two-thirds of homicide victims have been male. However, in 2000, three quarters of victims were male. The median<sup>18</sup> age for both male and female victims of homicide was 34 years of age.

Males accounted for almost 90% of all those accused of homicide in 2000, consistent with the average for the previous ten years. Females accused of homicide tended to kill family members (53% of incidents) more often than male accused (31%).

The 15-34 age group continues to be the highest risk group for committing homicide, accounting for three in five persons accused of homicide in a given year, while comprising approximately 28% of the total population. Figure 7 shows that 18 to 21 year olds had the highest single-age rates for accused in 2000.

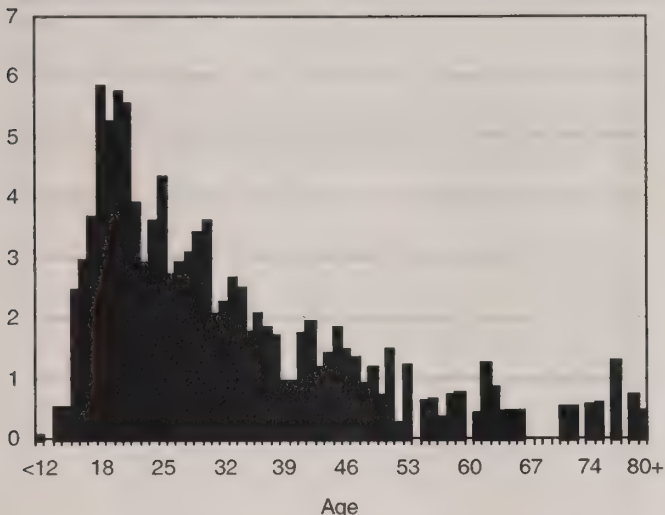
Figure 8 shows that infants under one year of age were at the highest risk of any age group of being a homicide victim in 2000. The risk of being a homicide victim gradually declines with age especially after the early to mid 20s. While this pattern changes from year to year, the age range for the majority of victims remains around ages 17 to 34 years.

<sup>18</sup> Median refers to the middle value in a set of values ordered from lowest to highest.

Figure 7

### Homicide Accused Age-Specific Rates, 2000

Rate per 100,000 population

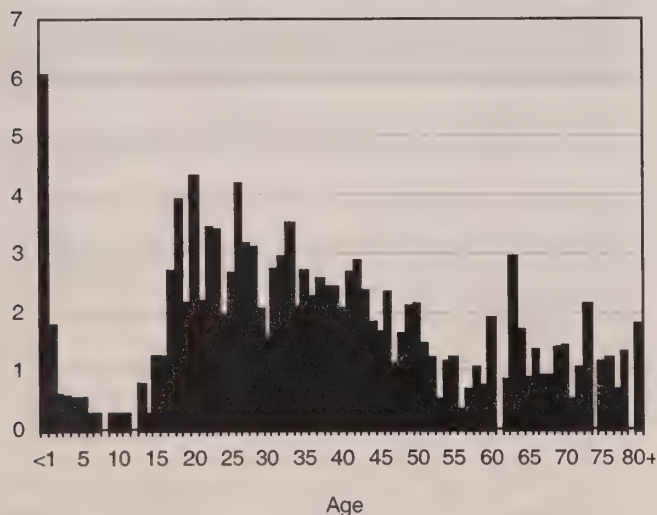


Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.

Figure 8

### Homicide Victim Age-Specific Rates, 2000

Rate per 100,000 population



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.

## YOUTH HOMICIDE

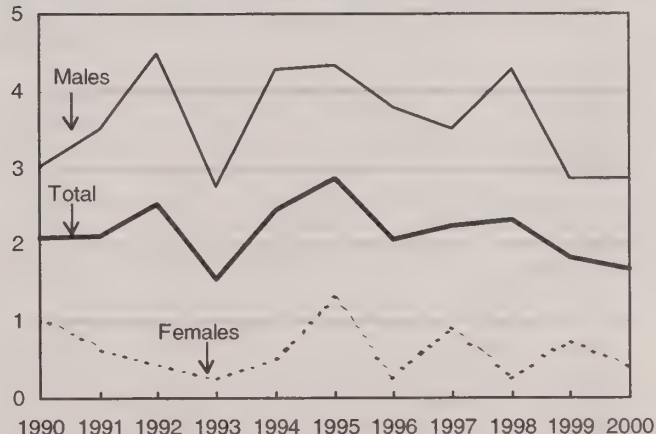
### Homicides committed by youths decline slightly in 2000

In 2000, 41 youths (persons 12 to 17 years of age) were accused of homicide, 4 fewer than in 1999, and representing 8.9% of all persons accused of homicide. Over the past decade, the youth homicide rate has remained relatively stable (Figure 9), while the homicide rate for adults has generally been decreasing. During this period, an average of 52 youths was accused each year, accounting for 9% of all persons accused of homicide annually (Table 9). In 2000, female youths accounted for 12% of homicides committed by youths, similar to the average of 13% over the previous ten years.

Figure 9

### Youths (Aged 12 to 17 Years) Accused of Homicide, 1990-2000

Rate per 100,000 youth population



Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.

As is the case historically, youths were more likely than adults to kill other youths and young adults. In incidents that were solved in 2000, 12-24 year olds represented almost half (48%) of all victims killed by youths compared to 17% of all victims killed by adults.

### Youth homicide victimization trends similar in Canada and the United States

International homicide comparisons are useful for examining similar and/or varying patterns across time. Although homicide victim rates in the United States are three to four times higher than in Canada, homicides against children and youths (under 18 years) in both countries share similarities in their trends. In the early 1980s, the trend in homicide rates for males and



Table 9

### Youths (12-17 Years) Accused of Homicide, Canada, 1974-2000

Year	Youths Accused of Homicide						Total Youth as % of Total Accused
	Number			Rate per 100,000 Youth Population <sup>1</sup>			
	Male	Female	Total	Male	Female	Total	
1974	53	3	56	3.67	0.22	1.98	10.2
1975	55	13	68	3.77	0.93	2.38	10.8
1976	41	8	49	2.80	0.57	1.71	7.9
1977	55	8	63	3.76	0.57	2.20	9.4
1978	48	10	58	3.35	0.73	2.07	8.4
1979	44	11	55	3.16	0.83	2.02	8.9
1980	39	7	46	2.89	0.54	1.74	8.7
1981	47	13	60	3.60	1.05	2.36	9.5
1982	42	9	51	3.33	0.75	2.07	8.0
1983	31	10	41	2.53	0.86	1.72	6.7
1984	25	11	36	2.09	0.97	1.54	6.5
1985	52	5	57	4.41	0.45	2.48	8.9
1986	31	11	42	2.67	1.00	1.85	7.6
1987	28	8	36	2.42	0.73	1.59	6.1
1988	44	3	47	3.82	0.27	2.09	8.9
1989	42	5	47	3.65	0.46	2.09	8.4
1990	35	12	47	3.02	1.09	2.08	8.5
1991	41	7	48	3.51	0.63	2.11	7.5
1992	53	5	58	4.47	0.45	2.52	8.8
1993	33	3	36	2.75	0.26	1.54	6.5
1994	52	6	58	4.29	0.52	2.46	10.1
1995	53	15	68	4.32	1.29	2.85	11.8
1996	47	3	50	3.79	0.26	2.07	9.1
1997 <sup>r</sup>	44	11	55	3.51	0.93	2.25	10.7
1998 <sup>r</sup>	54	3	57	4.29	0.25	2.33	10.8
1999 <sup>r</sup>	36	9	45	2.86	0.76	1.84	9.2
2000	36	5	41	2.86	0.42	1.67	8.9
Average 1990-99	45	7	52	3.68	0.64	2.20	9.3

<sup>r</sup> revised<sup>1</sup> Population estimates at July 1st, provided by Statistics Canada, Census and Demographic Statistics, Demography Division.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.

females in this age group in Canada and the United States were relatively similar. However, the American homicide rate for males increased dramatically from 1985 to 1993. Most of this increase can be attributed to males aged 14-17 years and the increased use of firearms in homicides. American females, on the other hand, were homicide victims at a consistent rate over this time period. Since 1993, the homicide rate for American males has declined sharply while Canada's homicide rate for males has been consistent (Figure 10).

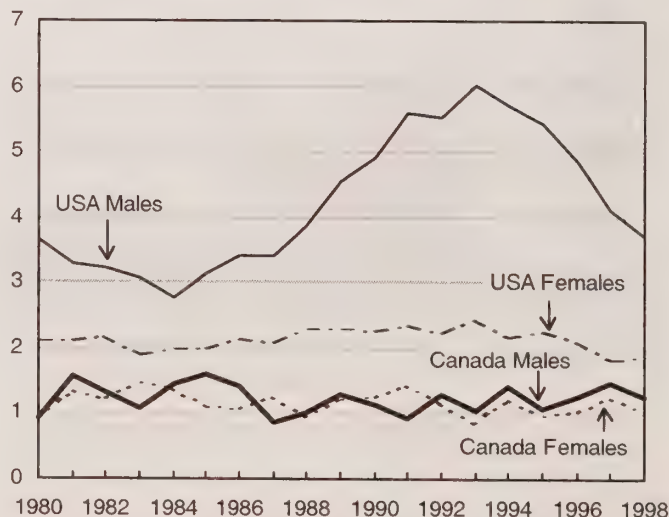
## ONE IN FIVE ACCUSED AND ONE IN SIX VICTIMS ARE ABORIGINAL PEOPLES

It has been widely documented that Aboriginal Peoples are over-represented in the justice system. This also holds true for involvement in homicide. While Aboriginal Peoples account for 3% of the Canadian population, they comprised at least 24% of all persons accused of committing homicide in 2000 as well as 15% of all homicide victims. In 11% of homicide cases, police services did not collect or report information on aboriginal origin. Therefore, the proportion of Aboriginal persons may actually be higher than cited above.

Figure 10

### Child and youth homicide rate by sex of victim, Canada and USA, 1980-1998

Rate per 100,000 child and youth population



Source: A forthcoming joint publication of the US Department of Justice, Justice Canada and the Canadian Centre for Justice Statistics, by P. Harms and S. Mihorean.

One factor which may contribute to some of this over-representation is that the Aboriginal population is younger on average than the rest of the Canadian population. Historically, the high-risk age group for committing homicide and other violent crimes has been between 15 and 34 years of age. This age group accounted for 36% of the Aboriginal population in 2000, compared to 28% for the rest of the population.

## TWO-THIRDS OF SUSPECTS AND HALF OF VICTIMS HAVE A PREVIOUS CRIMINAL RECORD

In 2000, two-thirds (67%) of persons accused of homicide had a Canadian criminal record, the majority (69%) of whom had been previously convicted of violent crimes: 5 for homicide, 50 for robbery and 161 for other violent offences. All five accused with a previous homicide conviction had completed their sentence and were living in the community when the homicide charge was laid. At the same time, half (52%) of homicide victims over the age of 12 in 2000 had a Canadian criminal record, half (46%) of whom had been previously convicted of violent crimes: 5 for homicide, 25 for robbery, and 89 for other violent offences.

## PRECIPITATING FACTORS

### Alcohol/drug consumption

Alcohol, drugs and other intoxicants are known to play a role in the commission of many crimes including homicide.<sup>19</sup> In 2000, police reported that 33% of homicide victims and 44% of accused persons had consumed alcohol and/or drugs at the time of the offence, consistent with the pattern seen since 1991 when this information was first collected in the Homicide Survey. As victims of homicide, men were 50% more likely than women to have consumed alcohol and/or drugs, and as accused, were 25% more likely than women to have consumed alcohol or drugs.

### Half of homicide incidents motivated by anger and despair

As determined by police, the most common motive for committing homicide in 2000 was an argument, quarrel or incident inciting a vengeful or jealous reaction or an act of despair (54% of all homicide incidents). A further 23% were motivated by financial gain or the settling of accounts. There were three "random" killings (victim randomly selected) in 2000 and two homicides motivated by hate. Between 1991 and 1999 there were 13 homicide incidents that were motivated by hate, an average of between one and two per year.

### Homicides committed during commission of another offence

Almost one-third of all homicide incidents reported in 2000 occurred during the commission of another criminal offence. Of these 152 incidents, 104 were committed at the same time as another violent offence: 58 during an assault, 28 during a robbery, 9 during a sexual assault, 3 during a kidnapping/

abduction, 3 as a result of a stalking<sup>20</sup> and 3 during other violent offences. Nine other homicides occurred as a result of arson, 16 were committed during other property offences, and 23, in combination with other types of criminal offences.

## OCCUPATIONS AT RISK

### Seventeen victims killed while at work

Despite the obvious dangers inherent in police work, the number of police officers murdered in Canada in the line of duty is low. Since 1961, an average of three police officers each year have been murdered as a result of performing their duties; all but five were shot. In 2000, one police officer was a victim of homicide. By comparison, the United States, with a population about ten times greater than Canada's, reported 42 police officers murdered on the job in 1999 (latest year for which figures are available); all but one were killed with a firearm. In 2000, no correctional officers were murdered in Canada in the line of duty.

There were 16 other persons who were victims of homicide "on the job" in 2000 in Canada. The most common occupations at risk were retail business managers/owners, "bouncers" and taxi drivers.

There was one known prostitute killed as a result of the profession, down from three in 1999 and seven in 1998. It should be noted that the number of prostitutes reported killed as a result of their profession most likely under-represents the actual figure: only those incidents where the police are certain that the victim was killed in the course of engaging in prostitution-related activities are counted.<sup>21</sup>

## METHODOLOGY

The Homicide Survey has collected police-reported data on homicide incidents since 1961, including the characteristics of victims and accused. Whenever a homicide becomes known to the police, the investigating police department completes a survey questionnaire. This questionnaire remained virtually unchanged from 1961 to 1990. In 1991 and later in 1997, in an effort to respond to changing information needs, the survey was revised and expanded.

Note that the homicide *count* for each year reflects the number of homicides *reported* to police in that year, regardless of the date that the homicide actually occurred. Also, socio-demographic and other information (e.g., history of domestic violence, alcohol / drug consumption) on persons accused of homicide are only available for solved incidents (i.e., where at least one accused has been identified). In incidents where there

<sup>19</sup> Sacco, V., and L. Kennedy. 1994. *The Criminal Event*. Scarborough, Ontario. Nelson Canada: p.47.

<sup>20</sup> For more information on this topic, see Hackett, K. 2000. *Criminal Harassment*, Juristat, Catalogue 85-002-XPE, Vol. 20, No. 11. Ottawa: Statistics Canada.

<sup>21</sup> For more information on prostitution, see Duchesne, D. 1997. *Street Prostitution in Canada*, Juristat, Catalogue 85-002-XPE, Vol. 17 No. 2. Ottawa: Statistics Canada.



Table 10

## Number of Homicides, 1961-2000

Year	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.	Yukon	N.W.T. <sup>1</sup>	Nvt.	Canada
1961	1	1	6	2	52	89	15	14	18	34	1	-	...	233
1962	-	1	10	8	62	76	19	13	18	55	3	-	...	265
1963	3	-	6	5	69	76	16	8	27	35	3	1	...	249
1964	5	-	13	5	52	81	16	20	25	32	1	3	...	253
1965	6	4	10	5	63	77	15	15	20	57	3	2	...	277
1966	3	1	9	6	56	71	17	12	27	48	-	-	...	250
1967	1	-	10	5	75	114	15	25	38	47	6	2	...	338
1968	5	-	9	5	102	104	28	23	25	73	1	-	...	375
1969	5	1	12	1	126	111	28	33	23	50	-	1	...	391
1970	1	1	15	8	141	115	29	24	42	78	6	7	...	467
1971	2	-	16	10	124	151	33	29	45	61	-	2	...	473
1972	2	2	14	11	157	141	36	28	37	88	3	2	...	521
1973	3	-	19	17	155	160	38	23	36	87	4	4	...	546
1974	3	2	8	21	169	160	42	31	44	107	5	8	...	600
1975	4	-	14	12	226	206	37	36	57	98	6	5	...	701
1976	6	2	25	14	205	183	31	34	68	88	4	8	...	668
1977	8	1	14	38	197	192	44	46	70	91	6	4	...	711
1978	9	4	13	27	180	182	39	32	84	85	2	4	...	661
1979	5	-	17	11	186	175	44	36	56	90	4	7	...	631
1980	3	1	12	9	181	158	31	31	55	105	2	4	...	592
1981	4	1	11	17	186	170	41	29	73	110	1	5	...	648
1982	6	-	12	13	190	184	35	39	70	109	2	7	...	667
1983	6	-	13	11	190	202	40	33	75	108	1	3	...	682
1984	6	-	15	14	198	190	43	30	54	110	2	5	...	667
1985 <sup>2</sup>	5	1	26	14	219	193	26	28	63	113	6	10	...	704
1986	4	-	15	12	156	139	47	26	64	89	3	14	...	569
1987	5	-	14	20	174	204	44	30	73	78	-	2	...	644
1988	7	1	11	8	154	186	31	23	66	80	1	8	...	576
1989	5	1	16	18	215	175	43	22	67	86	2	7	...	657
1990	-	1	9	12	184	182	39	36	74	110	1	12	...	660
1991	10	2	21	17	181	245	42	21	84	128	-	3	...	754
1992	2	-	21	11	166	242	29	32	92	122	2	13	...	732
1993	7	2	19	11	159	192	31	30	49	120	-	7	...	627
1994	4	1	19	15	126	192	29	24	66	113	3	4	...	596
1995	5	1	17	14	135	181	27	21	60	120	4	3	...	588
1996	7	1	18	9	154	187	45	32	53	125	-	4	...	635
1997	7	-	24	8	132	178	31	25	61	116	1	3	...	586
1998	7	1	24	5	137	156	33	33	64	90	3	5	...	558
1999 <sup>1</sup>	2	1	13	9	137	162	26	13	61	110	1	1	2	538
2000	6	3	15	10	148	155	30	26	58	85	2	1	3	542
<b>Total</b>	<b>180</b>	<b>38</b>	<b>585</b>	<b>468</b>	<b>5,919</b>	<b>6,337</b>	<b>1,285</b>	<b>1,066</b>	<b>2,142</b>	<b>3,531</b>	<b>95</b>	<b>181</b>	<b>5</b>	<b>21,832</b>

... figures not appropriate or not applicable

- nil or zero

r revised

<sup>1</sup> Includes Nunavut before 1999. See textbox for further explanation.<sup>2</sup> Excludes 329 victims killed in the Air India incident.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.

are multiple accused and one victim, only the *closest* relationship between the victim and any of the accused is recorded.

## GLOSSARY OF TERMS

**Homicide** occurs when a person directly or indirectly, by any means, causes the death of a human being. Homicide is either culpable (murder, manslaughter or infanticide) or not culpable (not an offence) (*Criminal Code of Canada*, sections 222 – 240).

**Murder** occurs when a person intentionally causes the death of another human being, or means to cause bodily harm that the person knows is likely to cause death.

**First degree murder** occurs when:

- it is planned and deliberate; or
- the victim is a person employed and acting in the course of his/her work for the preservation and maintenance of the public peace (e.g., police officer, correctional worker); or
- the death is caused by a person committing or attempting to commit certain serious offences (e.g., sexual assault, kidnapping, hijacking).

**Second degree murder** is all murder that is not first degree.

**Manslaughter** is generally considered to be a homicide committed in the heat of passion caused by sudden provocation. It also includes other culpable homicides that are not murders or infanticides.

Table 11

Homicide Rates<sup>1</sup>, 1961-2000<sup>2</sup>

Year	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.	Yukon	N.W.T. <sup>3</sup>	Nvt.	Canada
1961	0.22	0.96	0.81	0.33	0.99	1.43	1.63	1.51	1.35	2.09	6.85	0.00	...	1.28
1962	0.00	0.93	1.38	1.32	1.15	1.20	2.03	1.40	1.31	3.31	20.00	0.00	...	1.43
1963	0.63	0.00	0.80	0.82	1.26	1.17	1.69	0.86	1.92	2.06	20.00	3.85	...	1.32
1964	1.04	0.00	1.72	0.82	0.93	1.22	1.67	2.12	1.75	1.83	6.67	11.11	...	1.31
1965	1.23	3.67	1.32	0.81	1.11	1.13	1.55	1.58	1.38	3.17	21.43	7.41	...	1.41
1966	0.61	0.92	1.19	0.97	0.97	1.02	1.77	1.26	1.85	2.56	0.00	0.00	...	1.25
1967	0.20	0.00	1.32	0.81	1.28	1.60	1.56	2.61	2.55	2.42	40.00	6.90	...	1.66
1968	0.99	0.00	1.17	0.80	1.72	1.43	2.88	2.40	1.64	3.64	6.67	0.00	...	1.81
1969	0.97	0.90	1.55	0.16	2.11	1.50	2.86	3.44	1.48	2.43	0.00	3.23	...	1.86
1970	0.19	0.91	1.92	1.28	2.34	1.52	2.95	2.55	2.63	3.67	35.29	21.21	...	2.19
1971	0.38	0.00	2.01	1.56	2.02	1.92	3.30	3.11	2.70	2.72	0.00	5.49	...	2.15
1972	0.37	1.76	1.75	1.70	2.54	1.77	3.59	3.04	2.18	3.82	14.89	5.16	...	2.34
1973	0.55	0.00	2.34	2.59	2.49	1.98	3.77	2.52	2.09	3.68	18.91	9.82	...	2.43
1974	0.55	1.72	0.98	3.16	2.70	1.95	4.12	3.41	2.51	4.38	23.73	19.45	...	2.63
1975	0.72	0.00	1.69	1.77	3.57	2.48	3.61	3.92	3.15	3.92	27.39	11.67	...	3.03
1976	1.07	1.69	2.99	2.03	3.20	2.17	3.00	3.65	3.64	3.47	17.80	18.05	...	2.85
1977	1.42	0.83	1.67	5.46	3.06	2.26	4.24	4.87	3.59	3.54	26.27	8.96	...	3.00
1978	1.59	3.29	1.54	3.86	2.79	2.12	3.75	3.36	4.15	3.25	8.42	8.84	...	2.76
1979	0.88	0.00	2.00	1.56	2.88	2.02	4.24	3.75	2.67	3.38	16.67	15.31	...	2.61
1980	0.52	0.81	1.41	1.27	2.78	1.81	3.00	3.20	2.51	3.83	8.22	8.64	...	2.41
1981	0.70	0.81	1.29	2.41	2.84	1.93	3.96	2.97	3.18	3.90	4.18	10.51	...	2.61
1982	1.04	0.00	1.40	1.84	2.89	2.06	3.34	3.95	2.96	3.79	8.17	14.14	...	2.66
1983	1.04	0.00	1.50	1.54	2.88	2.23	3.77	3.29	3.14	3.72	4.23	5.88	...	2.69
1984	1.03	0.00	1.71	1.94	2.99	2.07	4.01	2.95	2.26	3.73	8.36	9.51	...	2.60
1985 <sup>4</sup>	0.86	0.78	2.94	1.93	3.29	2.08	2.40	2.73	2.62	3.80	24.63	18.38	...	2.72
1986	0.69	0.00	1.69	1.65	2.33	1.47	4.31	2.53	2.63	2.96	12.26	25.60	...	2.18
1987	0.87	0.00	1.57	2.75	2.57	2.12	4.01	2.90	3.00	2.56	0.00	3.63	...	2.43
1988	1.22	0.77	1.23	1.10	2.25	1.89	2.81	2.24	2.69	2.57	3.76	14.36	...	2.15
1989	0.87	0.77	1.77	2.45	3.10	1.73	3.90	2.16	2.68	2.69	7.37	12.28	...	2.41
1990	0.00	0.77	0.99	1.62	2.63	1.77	3.53	3.57	2.90	3.34	3.60	20.37	...	2.38
1991	1.73	1.53	2.29	2.28	2.56	2.35	3.79	2.09	3.24	3.79	0.00	4.92	...	2.69
1992	0.34	0.00	2.28	1.47	2.33	2.29	2.61	3.19	3.49	3.52	6.61	20.83	...	2.58
1993	1.21	1.51	2.06	1.47	2.22	1.80	2.77	2.98	1.83	3.36	0.00	11.02	...	2.18
1994	0.70	0.75	2.05	2.00	1.75	1.77	2.58	2.38	2.44	3.07	9.98	6.14	...	2.05
1995	0.88	0.74	1.83	1.86	1.86	1.65	2.39	2.07	2.19	3.17	12.95	4.51	...	2.00
1996	1.25	0.73	1.93	1.20	2.12	1.68	3.97	3.14	1.91	3.22	0.00	5.92	...	2.14
1997	1.26	0.00	2.57	1.06	1.81	1.58	2.73	2.45	2.15	2.93	3.10	4.43	...	1.95
1998	1.28	0.73	2.56	0.66	1.87	1.37	2.90	3.22	2.20	2.25	9.51	7.40	...	1.84
1999 <sup>r</sup>	0.37	0.73	1.38	1.19	1.86	1.41	2.28	1.27	2.06	2.73	3.22	2.43	7.41	1.76
2000	1.11	2.16	1.59	1.32	2.01	1.33	2.61	2.54	1.94	2.09	6.52	2.38	10.83	1.76

... figures not appropriate or not applicable

<sup>r</sup> revised<sup>1</sup> Rates are calculated per 100,000 population. Population estimates at July 1<sup>st</sup>, provided by Statistics Canada, Census and Demographic Statistics, Demography Division.

Estimates of population used:

1961-1990: Revised intercensal estimates

1991-1995: Final intercensal estimates

1996: Final postcensal estimates

1997-2000: Updated postcensal estimates

<sup>2</sup> As of 1971, population estimates were adjusted to reflect new methods of calculation.<sup>3</sup> Includes Nunavut before 1999. See textbox for further explanation.<sup>4</sup> Excludes 329 victims killed in the Air India incident.

Source: Homicide Survey, Canadian Centre for Justice Statistics, October 2001.

**Infanticide** occurs when a female causes the death of her newly-born child, if her mind is considered disturbed from the effects of giving birth or effects of lactation.

**Offence** - one offence is counted for each victim of homicide.

**Incident** - an incident is defined as the occurrence of one (or more) criminal offence(s) during one single, distinct event, regardless of the number of victims. If there are multiple victims or multiple suspects, the offences must occur at the same

location and at the same time if they are to be included within the same incident. The incident count will normally be lower than the victim (or offence) count due to incidents involving multiple victims.

**Suspect** - is a person who has been identified as an offender in an incident and against whom a charge may be laid in connection with that incident. The generic term "accused" is used in this report and is intended to capture the same meaning as suspect.



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# Juristat

Canadian Centre for Justice Statistics



Statistics Canada – Catalogue no. 85-002-XPE Vol. 21 no. 10

## SENTENCING IN ADULT CRIMINAL COURTS, 1999/00

by Brenda Bélanger

### Highlights

- In 1999/00, a conviction was recorded in 61% of cases heard in Provincial/territorial criminal courts in nine jurisdictions and Superior Courts in two jurisdictions across Canada (excluding New Brunswick, Manitoba, British Columbia and Nunavut).
- Single-conviction cases comprised 72% of all cases while multiple-conviction cases represented 28% of all cases. Prison sentences were imposed in 27% of single-conviction cases and had an average length of 94 days. A prison sentence was received in 53% of multiple-conviction cases, with an average length of sentence that was almost twice as long (175 days) as single-conviction cases.
- A probation sentence was imposed in 40% of single-conviction cases, with an average sentence length of more than a year (434 days). Probation was imposed somewhat more often (49%) for multiple-conviction cases, and featured an average sentence length that was considerably longer (556 days) than for cases with one conviction.
- A fine was the most frequently imposed sanction, occurring in almost half (45%) of all single-conviction cases. The average fine amount in these cases was \$609. In contrast to prison and probation, a fine was imposed less often for multiple-conviction cases.
- In 1999/00, almost 4% of convicted cases in four reporting jurisdictions resulted in a conditional sentence. In general, conditional sentences were imposed somewhat more often for cases involving *Crimes against Property* (6%) in comparison to other types of Criminal Code offences.
- The majority (84%) of offenders convicted in adult criminal courts were males, roughly the same proportion (82%) of all adults charged by police<sup>1</sup>, while 13% of cases involved females.<sup>2</sup> Less than 1% of convictions for criminal offences were against a company.
- For single-conviction cases, men were convicted at a higher rate than women, and were sentenced more severely in 1999/00. Twenty-nine percent of single-conviction cases involving males resulted in a term of imprisonment compared to 19% for females.
- In 1999/00, adults were more likely than young offenders to receive a term of custody for the most frequently occurring offences, but were often sentenced to shorter custody terms.

<sup>1</sup> For more information see S. Tremblay, *Crime Statistics in Canada 1999 (July 2000) Volume 20, Number 5, Canadian Centre for Justice Statistics, Statistics Canada Catalogue No. 85-002-XIE.*

<sup>2</sup> The sex of the accused was not known in 6,042 (3%) of convicted cases.



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## INTRODUCTION

Sentencing is a very important component of the criminal justice process. For adult offenders whose cases result in a finding of guilt (found guilty or plead guilty), the court must determine the nature and severity of the sentence to be imposed. In arriving at a sentence, the court weighs the effects of many factors, such as the extent of harm inflicted upon victims, the number and nature of any previous convictions and the circumstances related to the commission of an offence. Along with these issues, the court must also consider the principles of sentencing, which include for example, factors relating to the protection of society, the rehabilitation of offenders and crime prevention.

This *Juristat* presents an overview of 1999/00 sentencing information for adult criminal court cases heard and convicted in provincial and territorial courts and two Superior Court jurisdictions (Alberta and the Yukon) that provided data to the Adult Criminal Court Survey (ACCS). It addresses several issues in relation to sentencing outcomes, such as: case complexity in relation to the number of convictions; the proportion of convictions that resulted in a prison sentence; the types of offences that resulted in non-custodial sentences such as probation or fines; the severity of sentences in relation to the number and types of crimes committed; sentencing trends; sentencing patterns for males and females; and comparisons of adult and youth sentencing.

### About the Survey

The analysis in this report is based on case characteristics data from the Adult Criminal Court Survey. Data on disposed federal statute charges are collected by the Canadian Centre for Justice Statistics (CCJS) in collaboration with provincial and territorial government departments responsible for adult criminal courts.

The primary unit of analysis is the case, which is defined as one or more charges presented against an individual and disposed of in court on the same day. All case information that is used to define the case is determined by the "most serious offence", as described in the methodology section. The individuals involved are persons 18 years or older at the time of the offence, companies, as well as youths who have been transferred to adult criminal court.

At the time of this report, adult criminal courts in seven provinces and two territories reported to the ACCS. Reporting jurisdictions include: Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon, and the Northwest Territories. In addition, in 1999/00 Alberta and the Yukon reported Superior Court data to the ACCS. These jurisdictions represent approximately 80% of the national adult criminal court caseload. The information presented in this report covers only these nine participating jurisdictions.

## Principal Sentencing Options in Canada<sup>3</sup>

The main types of sanctions that can be imposed in Canada include the following:

**Imprisonment:** This involves a term of custody served in a provincial/territorial or federal institution. Sentences of two years or more are served in a federal penitentiary, while terms of less than two years are served in provincial/territorial correctional facilities. Sentences of 90 days or less can be served intermittently, which usually refers to serving the sentence on weekends. There are a number of offences, such as impaired driving, homicide and offences committed using a firearm, having minimum sentencing provisions outlined in the *Criminal Code of Canada*, which affect the nature and length of sentences imposed.

**Conditional sentence:** The Sentencing Reform Bill C-41 was enacted in 1996 establishing a new community-based conditional sentencing option as an alternative to incarceration.<sup>4</sup> The Supreme Court of Canada situated the conditional sentence between a prison term and a suspended sentence with probation. With a conditional sentence of imprisonment, the execution of the prison sentence is suspended. In

<sup>3</sup> For more information on sentencing options and the nature of the 1996 sentencing reforms see J. Roberts and D. Cole (eds). 1999. Making Sense of Sentencing. Toronto: University of Toronto Press.

<sup>4</sup> For more information, see R. v. Proulx, 1999.



terms of seriousness, it is less serious than prison but more serious than a term of probation. Like probation, conditional sentences are served in the community under supervision and often include a number of conditions restricting the movement and activities of the offender.

**Probation:** An offender sentenced to a term of probation remains in the community, but is subject to a number of conditions for the duration of the probation order. Some conditions are compulsory and apply to all offenders on probation. These include keeping the peace and appearing before the court when required to do so. The optional conditions vary from case to case, and can include performing community service, abstaining from the consumption of alcohol and providing for the support of dependants. Violating the conditions of a probation order is a criminal offence subject to possible prosecution that could result in a maximum sentence of imprisonment of two years.

**Fine:** When a fine is imposed, the offender is ordered to pay a specific dollar amount to the court. Unless the offender has been convicted of an offence carrying a minimum term of imprisonment, or a maximum penalty of more than 5 years, an offender may be fined in lieu of other types of punishment.

**Other types of sanctions:** In addition to these principal sentencing options, the courts can choose a variety of other sentencing options, such as restitution, compensation, a conditional or absolute discharge or a suspended sentence. Multiple sanctions may be imposed, but there are specific rules that govern the types of sentencing options that can be ordered in combination.

#### **Sentencing Reform in Canada – Bill C-41**

In September 1996, Bill C-41 was proclaimed, constituting a major reform of sentencing in Canada's history. This Bill was the federal government's response to Commissions of Inquiry in the mid-1980s, including the Canadian Sentencing Commission and the Daubney Committee. Both of these groups produced reports that examined the sentencing process in Canada, and provided evaluations of possible reform options.

The sentencing reform Bill introduced a number of significant changes to the sentencing process. For example, the *Criminal Code of Canada* now includes a statement of the purpose and principles of sentencing. This statement is designed to guide trial court judges in their sentencing decisions. Bill C-41 also attempts to promote the greater use of alternative measures, particularly for individuals alleged to have committed relatively minor crimes. The use of alternative measures may occur before or after the case comes to court and will include activities such as participating in an educational program, performing community service, paying for damages or apologizing.

As well, the 1996 sentencing reforms included the creation of a new sanction designed to reduce, in a safe and principled way, the number of offenders admitted to prison. Judges in Canada now have the discretion to allow some offenders sentenced to terms of imprisonment to spend the sentence in the community under supervision. The prerequisites for imposing a conditional sentence include: the offence must not have a prescribed minimum sentence; the maximum sentence of imprisonment for the offence must be less than 2 years; and the court must be satisfied that the offender would not endanger the safety of the community. The offender who receives such a conditional sentence of imprisonment must abide by certain conditions, such as "house arrest", curfew, alcohol or driving prohibition, treatment programs or a community service order, and may be sent to prison if he or she violates those conditions.

## **OVERVIEW**

The Adult Criminal Court Survey (ACCS) currently compiles data from provincial/territorial courts in nine jurisdictions and Superior Courts in two jurisdictions across Canada. Since all offences heard in Superior Courts tend to be very serious, these offences can receive more severe sentences. However, the majority of criminal court cases are disposed of at the provincial/territorial level.<sup>5</sup> Data from the ACCS represent cases involving federal statute offences, including offences against the *Criminal Code*, the *Controlled Drugs and Substances Act* and *Other Federal Statutes*.<sup>6</sup>

### **Conviction rates stable**

In 1999/00, a conviction was recorded in 61% (228,267) of the 378,586 cases heard in court. One-third of all cases were stayed or withdrawn and 2% of all cases resulted in the accused being acquitted. The conviction rate has varied by less than 3 percentage points over the past five years.<sup>7</sup>

### **Offenders faced with multiple convictions and multiple sentences**

Offenders may often be convicted of more than a single offence. As well, the court may frequently impose upon the offender more than one sentence per offence. Therefore, some offenders receive multiple convictions and multiple sentences. In 1999/00, 228,267 convicted cases resulted in the imposition of 372,733 sanctions with an average of 1.6 sanctions per case. As indicated in Figure 1, single-conviction cases represented a larger proportion of convicted cases (72%) than cases with multiple convictions (28%).

### **Most convicted offenders are males under 45 years of age**

The majority of offenders convicted in adult criminal courts (84%) were males, while 13% of cases involved females.<sup>8</sup> This is reflective of the fact that the majority of adults charged by the police were also males (approximately 82%).<sup>9</sup> Less than 1% of convictions for criminal offences were against a company.

Younger adults were over-represented when comparing the age distribution of the offender to the age distribution of the adult population. In 1999/00, 18 to 24 year-olds comprised 12% of the adult population, but accounted for 31% of convicted cases. Offenders under 45 years of age accounted for 86% of cases convicted in adult criminal court and only 57% of the adult population. In contrast, persons 55 and older represented 28% of the adult population, but accounted for only 4% of convicted cases.

<sup>5</sup> In Québec, in addition to Provincial Courts, Municipal Courts hear some Criminal Code offences as well.

<sup>6</sup> Other Federal Statutes include the Employment Insurance Act, the Income Tax Act and the Fisheries Act, among others.

<sup>7</sup> The calculation of conviction rates excludes cases where the last available disposition is a change in court level.

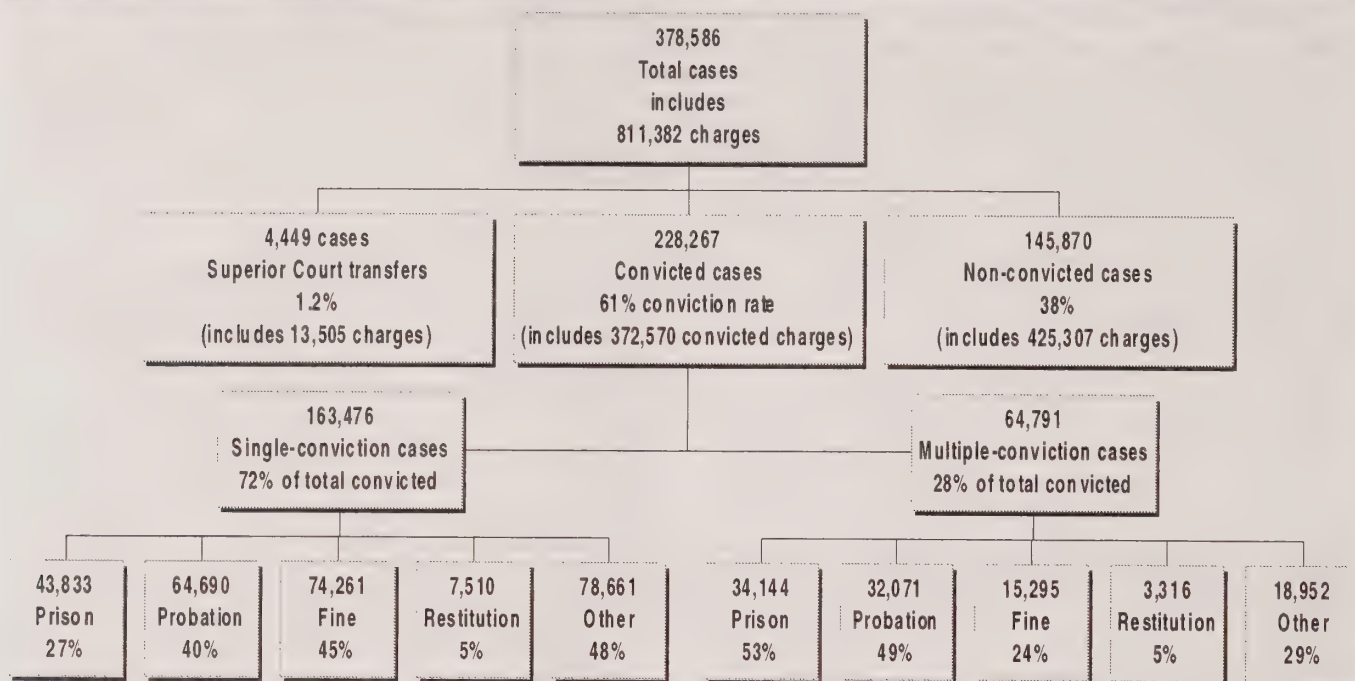
<sup>8</sup> The sex of the accused was not known in 6,042 (3%) of convicted cases.

<sup>9</sup> For more information see S. Tremblay, Crime Statistics in Canada 1999 (July 2000) Volume 20, Number 5, Canadian Centre for Justice Statistics, Statistics Canada Catalogue No. 85-002-XIE.



Figure 1

## Adult Criminal Court Processing of Federal Statute Cases with Type of Sentences Imposed Nine Provinces and Territories in Canada, 1999/00



**Notes:** The sentence was not known in 2,941 (1.3%) convicted cases in 1999/00. Data do not include New Brunswick, Manitoba, British Columbia and Nunavut. The calculation of conviction rates excludes cases with final dispositions of 'Committed for trial in superior court' and 'Re-election to provincial court' (1.2% of disposed cases). Since Alberta and the Yukon provide the survey with Superior Court data, transfers to Superior Court are not final dispositions for these two jurisdictions. Non-convicted equals Total minus Superior Court transfers minus Convicted. More than one sentence can be imposed in a charge or a case resulting in a conviction therefore, the percentage total is greater than 100%.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

### A small number of offences account for a large proportion of convictions

As can be seen in Figure 2, a small number of offences accounted for slightly more than half of convicted charges. The 10 offences listed in Figure 2 accounted for 54% of all the charges that resulted in a conviction. Impaired driving was the single most frequently occurring offence, accounting for 12% of convictions.

## SENTENCING PATTERNS

### Multiple-conviction cases resulted in longer average prison sentences

The number of convictions in a case can influence the severity of the sentence imposed. For example, when comparing all types of sentences, prison sentences were imposed more often for multiple-conviction cases than for single-conviction cases. The same can be said for probation. A fine was more often imposed in single-conviction cases than in multiple-conviction cases.

Sixty-nine percent of cases with five or more convictions received a term of imprisonment compared to 27% of single-conviction cases (see Figure 3). Conversely, 9% of cases with five or more convictions received a fine, compared to 45% for single-conviction cases.

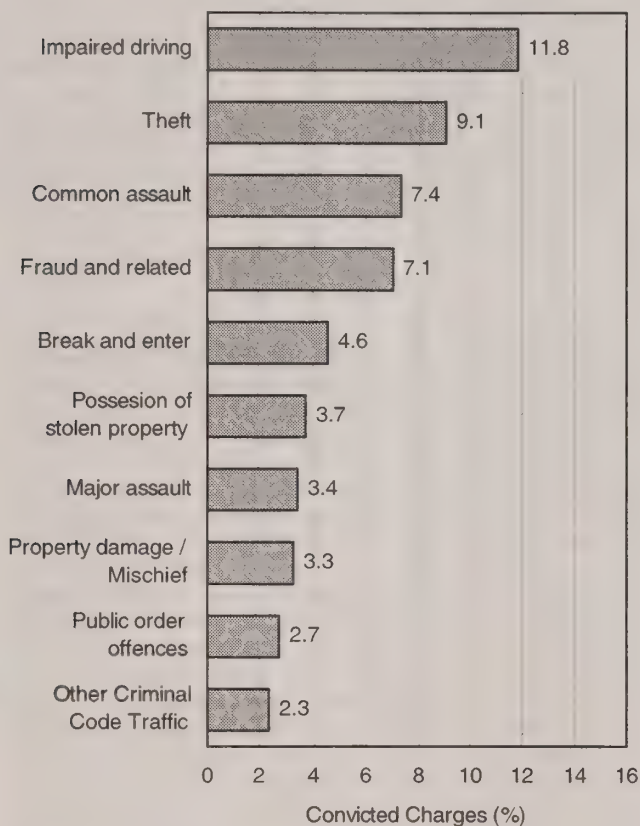
The length of the prison sentences varied depending on the number of convictions within a case. The average length of prison term was almost twice as long for multiple-conviction cases (175 days) than for single-conviction cases (94 days).

In 1999/00, as with prison sentences, probation was imposed more often for multiple-conviction cases. Forty-nine percent of cases with multiple convictions received a term of probation compared to 40% of cases with one conviction. Further, the average length of probation was considerably longer for multiple-conviction cases (556 days) than for single-conviction cases (434 days).

There were also differences in the use of fines. A fine was imposed in 45% of single-conviction cases in 1999/00, compared to 24% for cases with more than one conviction. As with average length of prison, the average fine was more than twice the amount for multiple-conviction cases (\$1,239) than for cases with a single conviction (\$609).

Figure 2

### Criminal Code Offences Most Frequently Receiving a Conviction in Adult Criminal Court Nine Provinces and Territories in Canada, 1999/00



**Notes:** Combined, the ten most common offences listed in the chart represent 54% of the total for all offences resulting in a conviction. No other types of offence represented at least 2% of the total, though combined, they represent the remaining 46% of all convicted offences. Data do not include New Brunswick, Manitoba, British Columbia and Nunavut.

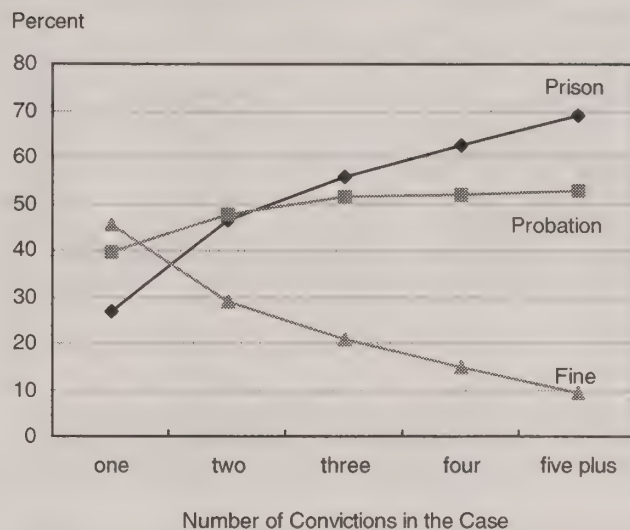
**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

## SINGLE-CONVICTION CASES

Sentencing data in this section are based on cases with a single conviction. Multiple-conviction cases are excluded from the analysis because only in single-conviction cases can one directly relate the punishment to a specific offence. The data do not include an indicator for consecutive or concurrent sentences and thus it is not possible to identify aggregate prison sentences in cases with more than one conviction. Also, as indicated above, the number and mix of convictions in a case influence the severity of probation and fine sentences. For comparative purposes, sentencing outcomes in this section are examined based on the type of sentences imposed for single-conviction cases (see Table 1).

Figure 3

### Type of Sentence Imposed by the Number of Convictions in the Case Nine Provinces and Territories in Canada, 1999/00



**Note:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut.  
**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Overall, 1.6 sentences were imposed per single-conviction case. Offenders convicted of *Criminal Code Traffic* offences were somewhat more likely to receive multiple sanctions with an average of 2.0 sanctions imposed. On average, 1.9 sentences were imposed for offenders convicted of *Crimes against the person*, and 1.7 for *Property* offences. *Other Federal Statutes* cases had the lowest average number of sanctions imposed (1.3) per single-conviction case.

## Use of incarceration

### Incarceration rates highest for the most serious offences

There were several types of offences that often had prison sentences imposed for single-conviction cases. For the 15 offences most frequently receiving a prison sentence, incarceration rates varied from 90% for *Homicide* to 39% for *Arson*. These offences are among the most serious crimes in the *Criminal Code*, several of which carry a maximum penalty of life imprisonment. Thus, the most severe offences had the highest rates of incarceration (see Figure 4). Also, a number of offences have minimum sentencing provisions such as impaired driving, offences committed using a firearm and homicide, which affect the nature and length of the sentences being imposed.<sup>10</sup>

<sup>10</sup> For example, in 1996, mandatory minimum prison sentences were attached to ten offences committed with a firearm. If a firearm is used in the commission of designated offences, the court is required to sentence the offender to at least four years in prison.



Table 1

### Single-conviction Cases by Type of Sentence Nine Provinces and Territories in Canada, 1999/00

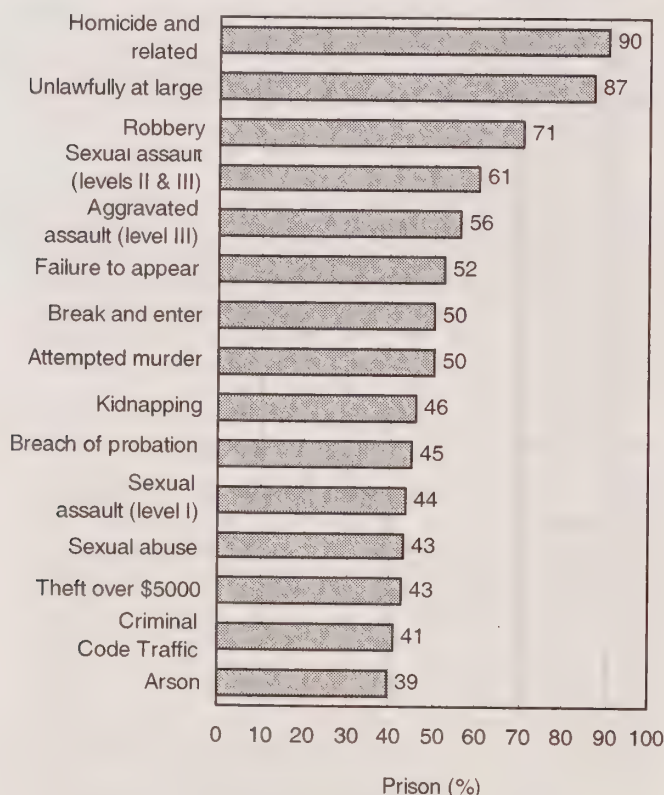
Offence Group	# of single-conviction cases	Prison		Probation		Fine	
		#	%	#	%	#	%
<b>Total Offences</b>	<b>163,476</b>	<b>43,833</b>	<b>27</b>	<b>64,690</b>	<b>40</b>	<b>74,261</b>	<b>45</b>
<b>Criminal Code Total</b>	<b>139,668</b>	<b>40,002</b>	<b>29</b>	<b>59,515</b>	<b>43</b>	<b>58,545</b>	<b>42</b>
Crimes Against the Person	24,649	6,521	26	18,763	76	4,600	19
Crimes Against Property	35,638	10,593	30	19,247	54	10,244	29
Other Criminal Code Violation	42,578	16,904	40	15,974	38	13,147	31
Criminal Code Traffic	36,803	5,984	16	5,531	15	30,554	83
<b>Other Federal Statute Total</b>	<b>23,808</b>	<b>3,831</b>	<b>16</b>	<b>5,175</b>	<b>22</b>	<b>15,716</b>	<b>66</b>

Notes: Data do not include New Brunswick, Manitoba, British Columbia and Nunavut.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Figure 4

### Single-conviction Cases with Offences Most Frequently Receiving a Prison Sentence Nine Provinces and Territories in Canada, 1999/00



Notes: Data do not include New Brunswick, Manitoba, British Columbia and Nunavut.

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

In addition to the purpose and principles of sentencing provided in the *Criminal Code*, other considerations are taken into account at sentencing, such as whether the accused pleaded guilty, the type of information contained in victim impact

statements and many other mitigating and aggravating factors.<sup>11</sup> When making comparisons between incarceration rates for different offences, the reader should be aware that some factors affecting sentencing patterns cannot currently be determined from available data. For example, after the seriousness of the offence, an offender's criminal record (not currently available for analysis) is the next most important factor that determines the severity of sentencing.<sup>12</sup>

Some of the sentencing findings in this report may be explained by the influence of the offender's criminal record. For example, *Break and enter* had a higher incarceration rate (50%) than some crimes of violence such as *Common assault* (18%) (see Table 4). This result may seem paradoxical, and may be interpreted as an infringement of the principle of proportionality, since crimes against the person are usually considered to be more serious than crimes involving property. Since offenders convicted of *Break and enter* generally have longer criminal records than offenders convicted of *Common assault*, and *Break and enter* is often pre-meditated, offenders convicted of *Break and enter* are often punished more severely than those convicted of *Common assault*. Research suggests that this is the case. Property offenders have significantly more involved criminal histories than violent offenders have, and this appears to have an impact on the sentences they receive.<sup>13</sup>

### Most serious forms of assault have higher incarceration rates

Consistent with the principle of proportionality in sentencing, the incarceration rate is related to the seriousness of the violent offence. This can be demonstrated by examining some specific offences in the *Criminal Code*, which have tiered levels of severity. For example, the *Criminal Code* defines three levels of assault. The most serious is *Aggravated assault*, which had an incarceration rate of 56% for single-conviction cases. The next most serious level of assault is *Assault with a weapon/ causing bodily harm*, which had an incarceration rate of 33%. The least serious (and also the most frequent) form is *Common*

<sup>11</sup> See C. Ruby. 1999. Sentencing. Fifth edition. Toronto: Butterworths.

<sup>12</sup> See G. Campbell. 1993. An Examination of Recidivism in Relation to Offence Histories and Offender Profiles. Ottawa: Statistics Canada.

<sup>13</sup> Ibid.

Table 2

### Single-conviction Cases, Mean and Median Sentence Length and Fine Amount Nine Provinces and Territories in Canada, 1999/00

Offence Group	# of single-conviction cases	Length of prison (days)			Length of probation (days)			Fine amount (\$)		
		#	mean	median	#	mean	median	#	mean	median
<b>Total Offences</b>	<b>163,476</b>	<b>40,987</b>	<b>94</b>	<b>30</b>	<b>64,650</b>	<b>434</b>	<b>365</b>	<b>72,284</b>	<b>609</b>	<b>400</b>
<b>Criminal Code Offences</b>	<b>139,668</b>	<b>37,514</b>	<b>90</b>	<b>30</b>	<b>59,482</b>	<b>437</b>	<b>365</b>	<b>56,740</b>	<b>550</b>	<b>500</b>
<b>Crimes Against the Person</b>	<b>24,649</b>	<b>6,125</b>	<b>220</b>	<b>60</b>	<b>18,759</b>	<b>460</b>	<b>365</b>	<b>4,106</b>	<b>419</b>	<b>350</b>
Homicide and related	83	73	3,664	2,190	12	848	913	2	500	500
Attempted Murder	36	17	1,133	540	15	835	1,095	2	1,000	1,000
Robbery	1,068	727	515	360	587	635	730	20	527	300
Kidnapping	37	16	190	53	27	616	540	4	825	500
Sexual assault (level I)	1,151	493	390	240	876	626	540	99	664	500
Sexual assault (levels II and III)	38	23	1,255	730	16	683	730	-	-	-
Other sexual assault	39	12	1,265	365	23	816	730	-	-	-
Sexual Abuse	417	179	265	180	357	698	730	16	672	625
Assault with a weapon (level II)	4,547	1,415	114	60	3,556	494	365	671	555	500
Aggravated assault (level III)	337	181	483	360	206	615	540	11	805	750
Other major assault	1,035	296	49	30	554	403	365	296	382	300
Abduction	33	9	286	150	27	550	365	1	50	50
Common Assault	15,828	2,684	50	30	12,503	422	365	2,984	379	300
<b>Crimes Against Property</b>	<b>35,638</b>	<b>9,953</b>	<b>100</b>	<b>35</b>	<b>19,241</b>	<b>443</b>	<b>365</b>	<b>9,755</b>	<b>430</b>	<b>250</b>
Break and Enter	3,971	1,905	211	120	2,536	514	365	381	455	300
Arson	175	67	326	300	136	700	730	6	433	500
Fraud over \$5000	1,098	156	240	120	791	695	730	55	13,519	1,000
Fraud under \$5000	1,346	273	73	40	846	446	365	262	382	300
Fraud - unspecified	3,693	860	79	30	2,175	448	365	968	518	250
Possession of Stolen Property	4,936	1,665	85	45	2,265	432	365	1,591	467	300
Theft over \$5000	871	354	190	90	543	570	540	121	1,850	500
Theft under \$5000	12,914	3,469	54	30	5,902	407	365	4,508	258	200
Theft - unspecified	1,810	476	48	30	952	394	365	445	316	250
Property Damage / Mischief	4,824	728	40	30	3,095	374	360	1,418	282	200
<b>Other Criminal Code</b>	<b>42,578</b>	<b>15,541</b>	<b>42</b>	<b>20</b>	<b>15,965</b>	<b>435</b>	<b>365</b>	<b>12,530</b>	<b>425</b>	<b>200</b>
Weapons and Explosives	2,125	355	84	30	1,060	452	365	802	327	250
Unlawfully at large	1,524	1,258	36	30	138	350	360	130	289	250
Failure to appear	13,806	6,562	25	15	3,687	411	365	4,137	197	150
Other Administration of Justice	326	252	73	30	39	489	365	22	268	225
Public Order Offences	4,085	773	26	15	1,398	338	360	2,013	279	200
Morals - Sexual	1,974	462	30	7	858	435	365	669	355	200
Morals - Gaming / Betting	287	3	13	7	92	362	360	142	3,070	1,000
Breach of probation	9,803	4,099	33	26	3,374	394	365	3,164	266	200
Other Criminal Code Offences	8,648	1,777	126	35	5,319	502	365	1,451	1,470	300
<b>Criminal Code Traffic</b>	<b>36,803</b>	<b>5,895</b>	<b>62</b>	<b>30</b>	<b>5,517</b>	<b>348</b>	<b>360</b>	<b>30,349</b>	<b>657</b>	<b>600</b>
Other Criminal Code Traffic	3,479	1,379	79	30	977	322	360	1,729	680	550
Impaired Driving	33,324	4,516	57	30	4,540	353	360	28,620	656	600
<b>Other Federal Statute Total</b>	<b>23,808</b>	<b>3,473</b>	<b>135</b>	<b>30</b>	<b>5,168</b>	<b>398</b>	<b>365</b>	<b>15,544</b>	<b>828</b>	<b>200</b>

- nil or zero.

**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut. The number of sentences and the calculation of means and medians in this table, exclude cases where the length of prison sentence (2,846 cases, 6.5%), length of probation sentence (40 cases, 0.1%) or fine amount (1,977 cases, 2.7%) was not known. Since cases can have more than one sentence, sanctions are not mutually exclusive and will not add up to the total number of single-conviction cases.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

assault which had an incarceration rate of 18%. Thus, the perceived seriousness of the offence was a clear factor influencing the incarceration rate.

The type of offence committed also had an impact on the length of prison sentence imposed. In Figure 5, for those sentenced to prison, the average prison term for *Aggravated assault* was 483 days, much greater than the average prison sentence length for *Assault with a weapon/causing bodily harm* (114 days) and greater still than the average length of incarceration for *Common assault* (50 days).

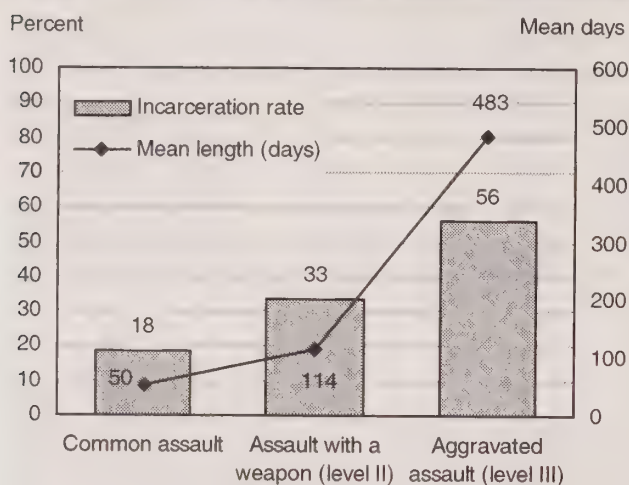
### Average length of prison sentence was 94 days

The average length of prison sentence is another dimension of the severity of sanctions being imposed. Table 2 provides mean sentence lengths and mean fine amounts by offence for single-conviction cases. For all offence types, the average length of prison term imposed was 94 days. For *Crimes against the person* it was 220 days, 100 days for *Crimes against property* offences and for *Other Criminal Code* violations, the average length of prison was 42 days. At over 10 years, *Homicide and related* (including manslaughter and infanticide) had the longest average length of prison sentence imposed.



Figure 5

### Single-conviction Cases Severity of Sentence with Level of Assault Nine Provinces and Territories in Canada, 1999/00



**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut. Calculation of means excludes cases where length of prison is unknown.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

### Probation most frequent sanction in combination with prison

In 46% of single-conviction cases resulting in a prison sentence, other penalties were imposed. For example, in almost two-thirds (64%) of single-conviction cases involving *Crimes against the person*, the additional sentence was a period of probation following the custody term. Also of note, 89% of the offenders incarcerated for *Criminal Code Traffic* offences received additional sanctions as well. These additional sentences included probation (50% of these cases), fine, restitution and in three-quarters of these cases other sanctions (such as license suspension or other various sentencing conditions). Table 3 provides a breakdown of the additional sanctions imposed on offenders sentenced to prison.

Table 3

### Single-conviction Cases by Type of Sentence in Combination with Prison Nine Provinces and Territories in Canada, 1999/00

Offence Group	# of Single-conviction cases with prison	Type of sentence in combination with prison									
		Prison only		Probation		Fine		Restitution		Other	
		#	%	#	%	#	%	#	%	#	%
<b>Total Offences</b>	<b>43,833</b>	<b>23,531</b>	<b>54</b>	<b>16,091</b>	<b>37</b>	<b>1,624</b>	<b>4</b>	<b>1,257</b>	<b>3</b>	<b>7,958</b>	<b>18</b>
<b>Criminal Code Total</b>	<b>40,002</b>	<b>20,953</b>	<b>52</b>	<b>15,028</b>	<b>38</b>	<b>1,464</b>	<b>4</b>	<b>1,238</b>	<b>3</b>	<b>7,757</b>	<b>19</b>
Crimes Against the Person	6,521	1,838	28	4,193	64	159	2	123	2	1,792	27
Crimes Against Property	10,593	6,282	59	3,752	35	256	2	962	9	456	4
Other Criminal Code	16,904	12,160	72	4,091	24	504	3	117	1	1,073	6
Criminal Code Traffic	5,984	673	11	2,992	50	545	9	36	1	4,436	74
<b>Other Federal Statute Total</b>	<b>3,831</b>	<b>2,578</b>	<b>67</b>	<b>1,063</b>	<b>28</b>	<b>160</b>	<b>4</b>	<b>19</b>	<b>-</b>	<b>201</b>	<b>5</b>

- nil or zero.

**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

### Use of imprisonment varies across the country

As with previous studies of sentencing patterns, considerable variation emerged in incarceration rates for specific offences across the country. No specific jurisdiction had higher incarceration rates for all crimes examined. Further, except for Newfoundland and Alberta, each jurisdiction had the highest incarceration rate or the longest average length of prison sentence for at least one offence.

Table 4 provides incarceration rates and mean prison sentence lengths for single-conviction cases involving 10 high-frequency offences. In some jurisdictions, the rate of incarceration was higher but the length of the term of imprisonment was shorter. For *Break and enter*, the incarceration rate was 59% in Ontario and the average length of prison sentence was 151 days versus an incarceration rate of 38% in Quebec with a mean length of prison of 329 days.

In comparing other jurisdictions, the reverse is true for the same offence. In Alberta, offences involving *Break and enter* had prison sentences imposed at a rate of 54% with an average length of prison of 273 days, compared to the incarceration rate in Saskatchewan of 28%, with a mean length of prison of 209 days.

In the absence of case-specific information — such as the value of property stolen, the amount of harm inflicted or the extent of offenders' criminal histories — it is not possible to identify the factors accounting for variations in sentencing patterns. However, variations in the use of incarceration reflect the influence of several factors. First, the mix of offences being sentenced can vary from jurisdiction to jurisdiction. If a particular jurisdiction has a higher than average percentage of the more serious crimes, it may also have a higher than average overall percentage of cases being sent to prison at the total offence level. Secondly, courts in different parts of the country may use incarceration in different ways. In Prince Edward Island for example, offenders convicted of their first offence of impaired driving are frequently sent to prison.

Table 4

### Single-conviction Cases by Incarceration Rate, Mean and Median Length of Prison Sentence Nine Provinces and Territories in Canada, 1999/00

	Type of offence									
	Major assault (Level II & III)	Common assault (Level I)	Break and enter	Fraud and related	Possession of stolen property	Theft	Property damage/mischief	Public order offences	Other Criminal Code traffic	Impaired driving
<b>Single-conviction cases</b>										
Total # of cases	5,919	15,828	3,971	6,137	4,936	15,595	4,824	4,085	3,479	33,324
Incarceration rate (%)	34	18	50	23	36	29	16	20	41	14
Mean length (days)	139	50	211	97	85	65	40	26	79	57
Median length (days)	60	30	120	40	45	30	30	15	30	30
<b>Newfoundland</b>										
# of cases	67	308	59	84	61	439	110	106	42	638
Incarceration rate (%)	25	10	27	15	13	9	6	7	40	16
Mean length (days)	37	35	216	23	139	36	23	19	58	56
Median length (days)	30	14	120	14	60	10	30	19	26	21
<b>Prince Edward Island</b>										
# of cases	11	80	24	35	23	73	37	45	43	314
Incarceration rate (%)	64	44	63	23	43	34	22	9	40	91
Mean length (days)	135	23	123	1,178	46	1,124	37	44	1,106	13
Median length (days)	40	8	60	35	30	21	15	11	40	1
<b>Nova Scotia</b>										
# of cases	133	650	115	179	116	697	231	135	120	1,824
Incarceration rate (%)	30	8	58	18	29	28	11	11	23	4
Mean length (days)	265	42	296	125	120	40	45	22	62	45
Median length (days)	83	30	180	30	30	30	30	15	30	18
<b>Quebec</b>										
# of cases	939	1,667	1,140	1,189	806	2,367	676	566	393	7,086
Incarceration rate (%)	24	8	38	20	21	25	12	16	26	8
Mean length (days)	248	124	329	161	166	137	73	43	105	102
Median length (days)	180	90	240	90	90	90	30	21	45	90
<b>Ontario</b>										
# of cases	3,637	9,543	2,000	3,452	2,837	8,277	2,308	1,891	1,726	13,326
Incarceration rate (%)	37	22	59	25	43	36	20	26	60	20
Mean length (days)	98	42	151	71	67	44	33	25	57	51
Median length (days)	60	30	90	30	30	30	21	15	30	30
<b>Saskatchewan</b>										
# of cases	367	996	219	261	196	630	368	281	480	3,218
Incarceration rate (%)	23	9	28	13	27	20	11	12	7	7
Mean length (days)	203	95	209	92	202	70	66	36	151	41
Median length (days)	120	90	180	60	90	30	60	30	83	24
<b>Alberta</b>										
# of cases	709	2,367	377	921	882	3,054	1,018	1,022	652	6,622
Incarceration rate (%)	40	18	54	22	30	21	13	18	28	9
Mean length (days)	200	55	273	78	83	54	32	15	80	62
Median length (days)	90	30	150	30	60	30	14	2	45	30
<b>Yukon</b>										
# of cases	14	59	3	11	10	29	22	16	7	180
Incarceration rate (%)	43	22	-	27	-	24	36	31	86	17
Mean length (days)	45	111	-	31	-	30	27	14	52	63
Median length (days)	60	60	-	31	-	21	30	14	30	45
<b>Northwest Territories</b>										
# of cases	42	158	34	5	5	29	54	23	16	116
Incarceration rate (%)	57	28	53	-	20	14	11	30	31	21
Mean length (days)	214	77	97	-	30	71	65	59	92	85
Median length (days)	180	60	53	-	30	68	60	90	90	30

- nil or zero.

**Note:** The percentage and the calculation of means and medians excludes cases where the sentence length was not known. Information from Quebec's Municipal Courts are not collected by the ACCS.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.



## Use of probation

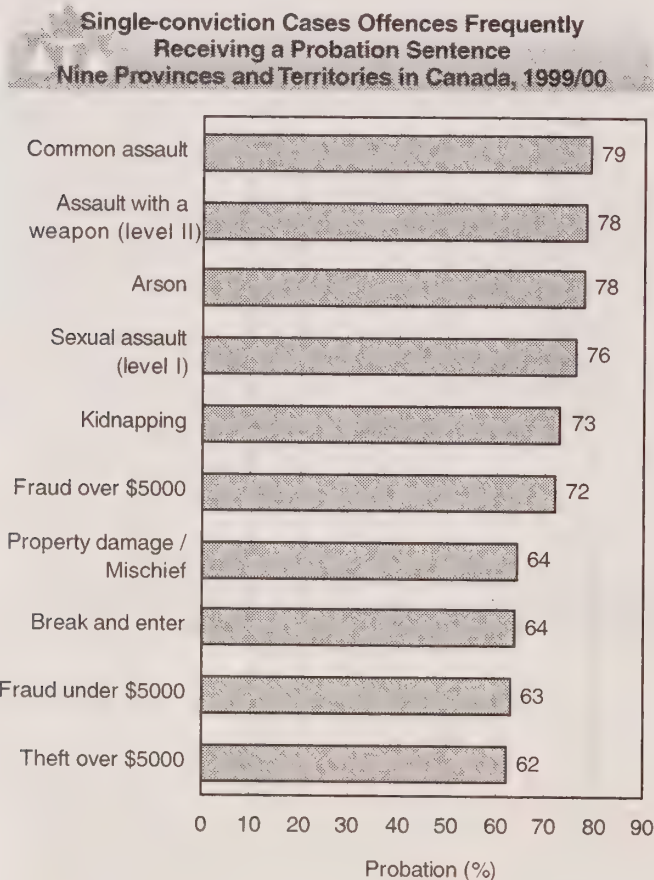
### Probation often imposed for common assault

Probation was imposed on the offender for 40% of cases with one conviction. Over three-quarters (76%) of the single-conviction cases involving *Crimes against the person* received a term of probation (see Table 1). In comparison, 54% of the cases dealing with *Property* offences received a probation term. These two categories of offences combined accounted for 60% of single-conviction cases with probation. The higher probation rate for offences against the *Person* was a result of the high probation rate for *Common assault* (79%), which made up 64% of single-conviction cases within the *Crimes against the person* category. Figure 6 compares probation rates for specific offences commonly receiving a probation sentence.

### Average term of probation was over one year

For single-conviction cases, the mean length of probation was 434 days. As with the use of incarceration, the length of probation term was proportional to the seriousness of the crime committed. The longest average terms of probation were

Figure 6



**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut. Calculation of means excludes cases where length of prison is unknown.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

imposed for the most serious offences. For example, the mean term of probation for *Homicide and related offences* (Table 2) was over two years<sup>14</sup>, while it was just over one year for *Property damage and mischief*. The duration of the probation order increased with the seriousness of the offence within a particular category of offences as well. For example, the mean probation term for *Robbery* was 1.7 years (635 days), whereas for *Common assault* it was 1.2 years (422 days).

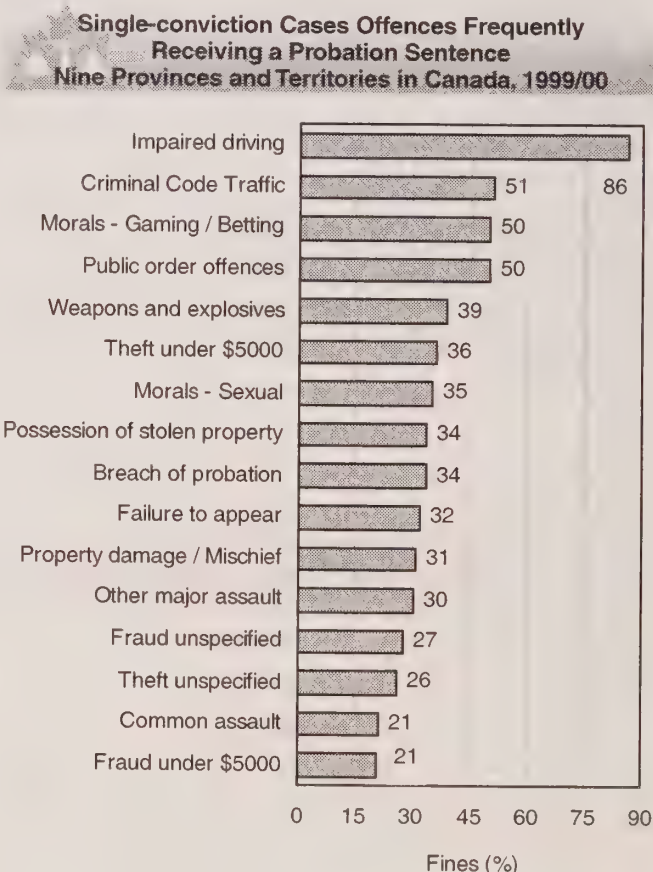
## Use of fines

### Fines imposed most often for impaired driving

A fine was the most frequently imposed sanction, occurring in almost half (45%) of all single-conviction cases. For all offences, the average fine amount was \$609, for cases with a single conviction. Offences in relation to *Crimes against the person* (such as robbery and different types of assault) with a mean fine amount of \$419, comprised the smallest proportion of single-conviction cases (19%) with fines. Figure 7 presents

<sup>14</sup> The offence group Homicide and related (see Figure 4, Tables 2 and 6) includes the related offences of manslaughter and infanticide. The maximum length of a probation sentence available for related offences as specified in the Criminal Code is three years.

Figure 7



**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

an overview of single-conviction cases involving *Criminal Code* offences that most frequently had fines imposed. With a mean fine amount of \$656, *Impaired driving* had the highest percentage of single-conviction cases (86%) in which a fine was imposed.<sup>15</sup>

### Restitution/compensation rarely used as a sanction

Among all of the sentencing options available to the courts, restitution or compensation were used least often in 1999/00. These sanctions are almost always used in combination with other, more serious sentences. As a proportion of all sentences for single-conviction cases, 5% resulted in restitution or

compensation being imposed. Seventeen percent of single-conviction cases involving *Crimes against property*, 3% of *Crimes against the person* and 0.4% of *Criminal Code Traffic* offences resulted in restitution or compensation sentences. These sanctions were used most often in single-conviction cases of *Fraud over \$5,000* (57%), *Fraud under \$5,000* (40%) and *Theft over \$5,000* (23%).

<sup>15</sup> For impaired driving, the Criminal Code states that the minimum punishment for a first offence is a fine of not less than \$600. For a second and each subsequent offence, a term of imprisonment is ordered with minimum and maximum sentence lengths as outlined in the Criminal Code.

### Conditional Sentencing

The Sentencing Reform Bill C-41 was enacted in September 1996 establishing a new community-based sanction, with a maximum of up to 2 years in length, as an added alternative to incarceration.<sup>16</sup> Since being introduced, there has been a great deal of interest in information regarding the number of conditional sentences that have been imposed and the types of conditions attached. This section briefly summarizes information currently available from the Adult Criminal Court Survey on conditional sentences. To date, the ACCS has completed implementation of conditional sentence data collection in four jurisdictions.

In 1999/00, 4% of convicted cases in the 4 reporting jurisdictions resulted in a conditional sentence. Of the reporting jurisdictions, the Yukon had the highest (9%) while Alberta had the lowest (2%) proportion of cases with this type of sentence. In general, conditional sentences were imposed somewhat more often for cases involving *Crimes against Property* (6%) and *Crimes against the person* (5%) in comparison to other types of Criminal Code offences. A conditional sentence was imposed least often for Criminal Code *Traffic* related offences as most of these offences have a minimum sentence of imprisonment and are therefore ineligible for conditional sentencing options.

### Number and Percentage Distribution of Convicted Cases with Conditional Sentences by Offence Group and Jurisdiction, 1999/00

Offence Group	Total			Convicted cases with a conditional sentence							
	Convicted cases #	Cases with a conditional sentence		Newfoundland		Ontario		Alberta		Yukon	
		#	%	#	%	#	%	#	%	#	%
<b>Total Offences</b>	<b>157,222</b>	<b>5,481</b>	<b>3.5</b>	<b>248</b>	<b>5.2</b>	<b>4,264</b>	<b>4.0</b>	<b>899</b>	<b>2.4</b>	<b>70</b>	<b>8.9</b>
<b>Criminal Code Total</b>	<b>140,173</b>	<b>4,843</b>	<b>3.5</b>	<b>217</b>	<b>5.5</b>	<b>3,716</b>	<b>3.9</b>	<b>843</b>	<b>2.5</b>	<b>67</b>	<b>9.0</b>
Crimes Against the Person	28,821	1,432	5.0	69	7.6	1,104	5.2	226	4.1	33	22.4
Crimes Against Property	42,024	2,293	5.5	95	6.9	1,698	6.2	486	4.4	14	9.3
Other Criminal Code Violations	42,130	879	2.1	41	4.3	739	2.5	84	0.9	15	6.1
Criminal Code Traffic	27,198	239	0.9	12	1.6	175	1.1	47	0.6	5	2.5
<b>Other Federal Statute Total</b>	<b>17,049</b>	<b>638</b>	<b>3.7</b>	<b>31</b>	<b>4.1</b>	<b>548</b>	<b>4.8</b>	<b>56</b>	<b>1.7</b>	<b>3</b>	<b>6.7</b>

**Note:** Total convicted cases includes those for the four jurisdictions listed in this table.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

The majority of cases that resulted in a conditional sentence in the Yukon had sentence lengths of 3 months or less. In Ontario and Alberta, conditional sentence lengths were most often ranging within 3 to 6 months in length. In Newfoundland, conditional sentences were most often greater than 6 months, up to the maximum allowable length of 24 months.

### Cases with a Conditional Sentence by Length of Sentence and Jurisdiction, 1999/00

Jurisdiction	Total convicted cases		Length of conditional sentences							
	# of conditional sentences	% of total	3 months or less		>3 to 6 months		>6 to 12 months		>12 to 24 months	
			#	%	#	%	#	%	#	%
Newfoundland	248	5.2	46	18.5	26	10.5	87	35.1	89	35.9
Ontario	4,264	4.0	1,435	33.7	1,569	36.8	863	20.2	397	9.3
Alberta	899	2.4	99	11.0	296	32.9	281	31.3	223	24.8
Yukon	70	8.9	41	58.6	19	27.1	7	10.0	3	4.3

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

<sup>16</sup> See the description of conditional sentences in the Principal Sentencing Options in Canada section of this Juristat.



## SENTENCING TRENDS

### The number of cases sentenced to prison declining

The total number of cases sentenced to prison in adult criminal courts has declined 12%, from 88,586 in 1995/96 to 77,977 in 1999/00. The reasons for this decrease may include: (i) the decline in the number of crimes reported to the police, (ii) the decrease (-13%) in the number of cases heard in court, (iii) the decrease in the number of recorded convictions (-16%), and (iv) the use of conditional sentencing as an alternative to incarceration. Further, the decline in cases sentenced to prison is reflected in the 9% decline in the number of sentenced admissions to provincial/territorial custody between 1998/99 and 1999/00.<sup>17</sup>

### Proportion of cases sentenced to prison showed little change

The proportion of cases where prison was used as a sanction remained virtually unchanged during the past five years, moving from 33% in 1995/96 to 34% in 1999/00. However, some variability was evident at the offence level. For example, in the *Crimes against the person* category, the largest decrease in the incarceration rate occurred for *Robbery* offences where 77% of convicted cases resulted in a prison sentence in 1999/00, down from 86% in 1995/96. The incarceration rate for *Major assault* dropped from 53% to 47% during the same period. The only crime in this offence group showing an

increased incarceration rate was homicide and related offences (including manslaughter and infanticide), where prison was ordered in 89% of cases, up from 84% five years earlier.

In the *Crimes against property* category, two offences showed notable change between 1995/96 and 1999/00. The largest changes occurred for *Break and enter*, where the proportion of cases being sentenced to prison dropped from 67% to 61%. In contrast, *Theft* saw an increase in the incarceration rate, growing from 32% in 1995/96 to 38% in 1999/00.

### Average length of prison term increasing for some offences

The mean length of incarceration for all offences has been fluctuating somewhat over the past 5 years, ranging from 122 days in 1995/96 to 137 days in 1998/99, to 130 days in 1999/00 (see Table 5). There have been increases in average sentence lengths for some offences within the *Crimes against the person* category. For *Sexual assault*, the average prison sentence imposed increased from 458 to 500 days, and for *Common assault* cases, from 63 to 71 days. Some *Property* offences showed increases as well. From 1995/96 to 1999/00,

<sup>17</sup> See C. Lonmo, Adult Correctional Services in Canada, 1999/00 (June 2001) Volume 21, Number 5, Canadian Centre for Justice Statistics, Statistics Canada Catalogue No. 85-002-XIE. Also see the methodology section for more details on the comparisons between the ACCS and the Adult Correctional Services (ACS) Survey.

### Superior Court cases not a significant factor in incarceration rates and length of prison terms

In 1999/00, the addition of Superior Court data from Alberta and the Yukon added 0.3% to the total caseload reported by the ACCS, having no significant impact on the overall incarceration rate or length of prison terms imposed. The impact at the jurisdictional level for Alberta and the Yukon cannot currently be determined from the data available.

With the addition of Superior Court, there were 665 cases added to the total convicted case count, changing the incarceration rate from 34.1% to 34.2%. The average length of prison terms demonstrated an increase of 4 days with the inclusion of Superior Court prison sentence lengths, but the median remained unaffected.

### Cases by Mean and Median Length of Prison Sentence Nine Provinces and Territories in Canada

Newfoundland, Prince Edward Island, Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, Yukon and the Northwest Territories

	Length of Prison (Days) for Cases with Prison								
	Total Cases			Cases completed in Provincial Court			Cases completed in Superior Court		
	#	mean	median	#	mean	median	#	mean	median
<b>1999/00</b>									
Total Offences	74,128	130	30	73,693	126	30	435	803	365
Criminal Code Total	68,894	126	30	68,550	122	30	344	828	360
Other Federal Statute Total	5,234	188	60	5,143	178	60	91	710	730
<b>1998/99</b>									
Total Offences	80,204	137	45	79,657	133	40	547	763	365
Criminal Code Total	74,521	131	31	74,092	127	30	429	813	360
Other Federal Statute Total	5,683	216	90	5,565	208	90	118	581	729
<b>1997/98</b>									
Total Offences	80,777	128	40	80,777	128	40	-	-	-
Criminal Code Total	75,296	123	30	75,296	123	30	-	-	-
Other Federal Statute Total	5,481	186	80	5,481	186	80	-	-	-

- nil or zero.

**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut.

Excludes cases where the length of prison was not known, and cases where the length was specified as indeterminate.

Cases sentenced to life imprisonment were recoded to 9,125 days (or 25 years) for the calculation of sentence lengths means and medians.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Table 5

### Mean and Median Sentence Length and Fine Amount for All Cases Selected Provinces and Territories in Canada, 1995/96 to 1999/00

	Prison			Probation			Fine		
	# of cases	mean (days)	median (days)	# of cases	mean (days)	median (days)	# of cases	mean (\$)	median (\$)
<b>1995/96</b>									
<b>Total Offences</b>	<b>86,797</b>	<b>122</b>	<b>40</b>	<b>102,970</b>	<b>492</b>	<b>365</b>	<b>120,219</b>	<b>542</b>	<b>300</b>
Crimes Against The Person	16,679	228	68	28,691	530	365	9,484	356	300
Crimes Against Property	26,706	130	60	36,882	507	365	21,574	334	200
Other Criminal Code	23,228	59	30	19,808	492	365	20,246	288	175
Criminal Code Traffic	13,915	67	30	10,959	336	360	41,869	550	500
Other Federal Statutes	6,269	162	60	6,630	503	365	27,046	948	130
<b>1996/97</b>									
<b>Total Offences</b>	<b>84,468</b>	<b>126</b>	<b>40</b>	<b>106,421</b>	<b>488</b>	<b>365</b>	<b>113,383</b>	<b>579</b>	<b>300</b>
Crimes Against The Person	16,086	241	90	29,414	529	365	8,153	359	300
Crimes Against Property	26,225	128	60	38,036	500	365	19,710	333	200
Other Criminal Code	23,673	62	30	20,856	487	365	18,604	309	200
Criminal Code Traffic	12,599	69	30	11,085	341	360	41,356	555	500
Other Federal Statutes	5,885	180	70	7,030	496	365	25,560	1,074	150
<b>1997/98</b>									
<b>Total Offences</b>	<b>80,777</b>	<b>128</b>	<b>40</b>	<b>105,994</b>	<b>478</b>	<b>365</b>	<b>101,886</b>	<b>576</b>	<b>300</b>
Crimes Against The Person	15,530	235	90	30,410	512	365	7,209	373	300
Crimes Against Property	24,218	138	60	35,816	494	365	16,232	347	200
Other Criminal Code	24,151	61	30	22,336	474	365	17,959	416	200
Criminal Code Traffic	11,397	71	30	10,323	340	360	39,660	559	500
Other Federal Statutes	5,481	186	80	7,109	473	365	20,826	995	150
<b>1998/99</b>									
<b>Total Offences</b>	<b>80,204</b>	<b>137</b>	<b>45</b>	<b>100,820</b>	<b>477</b>	<b>365</b>	<b>94,690</b>	<b>573</b>	<b>300</b>
Crimes Against The Person	16,158	256	90	30,762	507	365	6,813	429	300
Crimes Against Property	25,056	142	60	33,543	490	365	15,074	337	200
Other Criminal Code	24,762	58	30	22,197	460	365	18,504	335	200
Criminal Code Traffic	8,545	74	30	7,209	355	360	34,217	569	500
Other Federal Statutes	5,683	216	90	7,109	466	365	20,082	1,024	200
<b>1999/00</b>									
<b>Total Offences</b>	<b>74,128</b>	<b>130</b>	<b>30</b>	<b>96,702</b>	<b>474</b>	<b>365</b>	<b>86,981</b>	<b>716</b>	<b>300</b>
Crimes Against the Person	14,672	251	90	29,137	506	365	5,903	386	300
Crimes Against Property	22,496	138	60	31,529	484	365	13,391	403	200
Other Criminal Code	24,174	55	30	22,313	463	365	17,443	843	200
Criminal Code Traffic	7,552	72	30	6,557	363	360	31,978	652	600
Other Federal Statutes	5,234	188	60	7,166	446	365	18,266	1,041	200

**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut for all years and Northwest Territories for 1996/97.

The number of sentences and the calculation of means and medians in this table, excludes cases where the sentence length or fine amount was not known, and cases where the length of prison was specified as indeterminant.

Cases can have more than one sentence therefore, sanctions are not mutually exclusive and will not add up to the total number of convicted cases.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.



*Break and enter* cases saw the average prison term increase from 254 to 275 days, and *Fraud* related cases increased from 110 to 135 days.

### Increased use of probation

In recent years, adult criminal courts have been using probation in a larger proportion of cases. Between 1995/96 and 1998/99, the proportion of all convicted cases receiving a probation sentence increased from 38% to 42%. This rate remained stable in 1999/00. Among all offence groups, the largest increase between 1995/96 and 1999/00 occurred for *Crimes against the person* where the rate of probation for guilty cases increased from 68% to 73%. Within this category, *Robbery* showed an increasing proportion (from 44% to 49%) of convicted cases receiving probation. Among all categories, one of the offences with the largest increase in the use of probation was *Gaming* (includes offences such as bookmaking, owning a betting/gaming house or placing a bet on behalf of another), where 32% of convicted cases received probation in 1999/00 compared to 23% in 1995/96. While the relative use of probation has increased over the past five years, there has been little change in the length of probation orders. The overall average length of all probation orders in 1999/00 was 474 days.

### Decreased use of fines

Since 1995/96, the imposition of fines has been steadily decreasing. In 1995/96, 45% (121,000) of convicted cases were given a fine, compared to 39% (90,000) of convicted cases in 1999/00. During the same period, there has been a trend towards imposing higher fines. In 1995/96, 20% of all fines were for amounts over \$500, whereas by 1999/00, 31% of all fines were for amounts over \$500.

## COMPARISON OF MALE AND FEMALE SENTENCING OUTCOMES

### Higher number of single-conviction cases for males

This section compares sentencing patterns and outcomes for male and female offenders by examining single-conviction cases. In 1999/00, there were a total of 136,150 single-conviction cases involving males and 22,823 involving females. To provide examples of variations in sentencing, some high frequency offences (*Theft under \$5,000*, *Common assault* and *Impaired driving*) were selected for comparative analysis.

There are many issues, such as length and type of criminal histories, mitigating circumstances or aggravating factors, which contribute to the variations in sentencing outcomes. However, information on such case characteristics is not currently available to help quantify their impact on sentencing.

### Use of incarceration for males and females

Overall, 29% of single-conviction cases involving males resulted in incarceration compared to 19% for females, in 1999/00. When examining the types of sentences imposed, male offenders were consistently incarcerated at a higher rate than females across all major offence categories.

The incarceration rate for male offenders involved in single-conviction cases of *Common assault* was 20% compared to 8% for females convicted of the same offence. The same pattern was evident for charges of *Theft under \$5,000* (one of the most common offences for both men and women) with males incarcerated at a rate of 33% compared to 16% for females. For *Impaired driving*, convictions involving males resulted in imprisonment at a rate of 15% compared to 6% for females (see Table 6).

Generally, males received longer terms of incarceration than did females, for most offences. For *Common assault* for example, men received a median of 30 days compared to 21 days for women. For *Impaired driving*, the median lengths of incarceration for men and women were 30 and 14 days respectively. One of the few exceptions to this included single-conviction cases involving *Theft over \$5,000* for which men received a median length of imprisonment of 90 days in comparison to 105 days for women (see Table 7).

### Use of probation

Generally, males were less likely to receive a term of probation (39%) than were females (45%), in 1999/00. For *Crimes against Property* and *Other Criminal Code violations*, males received probation sentences less often than did females. For *Theft under \$5,000*, the probation rate for males was 42% compared to 54% for females.

In comparing average lengths of probation sentences, males received longer terms of probation than did females when convicted of the same offence. However, there was a higher proportion of men than women who received longer probation terms, thus producing larger differences in comparing mean lengths of probation ordered. For example, *Common assault* charges involving males resulted in an average of 428 days probation compared to 370 days for females. The median indicated less of a difference with males receiving a median term of probation of 1 year and females a median of 360 days probation.

Similarly, the average length of probation for *Break and enter* involving males was 514 days compared to 457 days for females, but in comparing medians, both males and females had median probation sentence lengths of 365 days. Exceptions to this included charges dealing with *Fraud under \$5,000*, *Arson* and *Impaired driving*. The average lengths of probation sentences ordered for females was somewhat higher than that for males, but when comparing median lengths of probation for these offences there were no differences between males and females.

### Use of fines

Overall, men received a fine in 46% of single-conviction cases, in comparison to a 38% rate of fine for females. Fines were imposed at similar rates for both males and females charged with the most commonly occurring offences, such as *Common assault* and *Theft under \$5,000*. However, males were somewhat less likely to receive a fine than were women for *Criminal Code Traffic* related offences. Generally, males received higher average fine amounts than female offenders, although the differences were much less consistent when comparing median fine amounts (Tables 6 and 7).

Table 6

### Single-Conviction Cases by Number and Type of Sentence by Sex Nine Provinces and Territories in Canada, 1999/00

Offence Group	Prison				Probation				Fine			
	Males		Females		Males		Females		Males		Females	
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Offences</b>	<b>38,825</b>	<b>29</b>	<b>4,426</b>	<b>19</b>	<b>53,018</b>	<b>39</b>	<b>10,295</b>	<b>45</b>	<b>62,306</b>	<b>46</b>	<b>8,764</b>	<b>38</b>
<b>Criminal Code Total</b>	<b>35,503</b>	<b>31</b>	<b>4,012</b>	<b>19</b>	<b>48,703</b>	<b>42</b>	<b>9,655</b>	<b>47</b>	<b>49,301</b>	<b>42</b>	<b>7,591</b>	<b>37</b>
<b>Crimes Against the Person</b>	<b>6,026</b>	<b>28</b>	<b>409</b>	<b>13</b>	<b>16,248</b>	<b>76</b>	<b>2,262</b>	<b>74</b>	<b>4,063</b>	<b>19</b>	<b>474</b>	<b>16</b>
Homicide and related	70	91	4	80	10	13	2	40	2	3	-	-
Attempted murder	18	67	-	-	11	41	3	38	2	7	-	-
Robbery	673	72	74	63	517	55	59	50	18	2	4	3
Kidnapping	17	49	-	-	25	71	2	100	5	14	-	-
Sexual assault (level I)	486	43	2	29	850	76	6	86	110	10	1	14
Sexual assault (levels II & III)	23	61	-	-	16	42	-	-	-	-	-	-
Other sexual assault	12	32	-	-	22	58	1	100	1	3	-	-
Sexual abuse	161	43	3	27	319	84	11	100	23	6	1	9
Assault with a weapon (level II)	1,379	36	112	16	2,940	77	567	82	661	17	73	11
Aggravated assault (level III)	173	59	13	34	177	60	25	66	16	5	-	-
Other major assault	292	36	41	20	433	53	116	57	245	30	62	30
Abduction	8	40	1	8	15	75	12	92	1	5	-	-
Common assault	2,714	20	159	8	10,913	79	1,458	75	2,979	22	333	17
<b>Crimes Against Property</b>	<b>9,321</b>	<b>33</b>	<b>1,130</b>	<b>16</b>	<b>14,479</b>	<b>52</b>	<b>4,330</b>	<b>61</b>	<b>8,200</b>	<b>29</b>	<b>1,795</b>	<b>25</b>
Break and enter	1,916	52	46	22	2,295	63	154	75	403	11	30	15
Arson	58	44	8	22	103	79	27	73	6	5	-	-
Fraud over \$5000	121	19	41	9	438	70	344	76	47	7	9	2
Fraud under \$5000	231	26	56	12	505	58	336	73	215	25	57	12
Fraud - unspecified	790	29	125	14	1,479	55	625	69	792	30	172	19
Possess stolen property	1,655	38	106	23	1,966	45	260	55	1,495	34	134	28
Theft over \$5000	341	47	24	19	446	62	82	65	126	17	6	5
Theft under \$5000	3,038	33	596	16	3,799	42	1,970	54	3,361	37	1,220	34
Theft - unspecified	460	33	68	18	714	51	215	58	377	27	71	19
Property damage/mischief	711	17	60	12	2,734	64	317	66	1,378	32	96	20
<b>Other Criminal Code</b>	<b>14,575</b>	<b>41</b>	<b>2,173</b>	<b>34</b>	<b>13,056</b>	<b>37</b>	<b>2,517</b>	<b>40</b>	<b>11,239</b>	<b>32</b>	<b>1,577</b>	<b>25</b>
Weapons	355	18	25	21	967	50	73	61	766	39	30	25
Unlawfully at large	1,184	87	125	89	120	9	17	12	124	9	9	6
Failure to appear	6,339	54	870	45	3,028	26	623	33	3,830	32	530	28
Other administration of justice	261	86	14	74	34	11	5	26	22	7	3	16
Public order offences	742	22	90	15	1,135	33	247	41	1,767	51	257	42
Morals-sexual	108	11	394	42	472	48	350	38	480	48	200	21
Morals-gaming	3	2	-	-	58	34	32	55	78	46	11	19
Breach of probation	3,833	46	510	41	2,779	33	459	37	2,843	34	348	28
Other unspecified CC	1,750	24	145	11	4,463	62	711	56	1,329	19	189	15
<b>Criminal Code Traffic</b>	<b>5,581</b>	<b>18</b>	<b>300</b>	<b>7</b>	<b>4,920</b>	<b>16</b>	<b>546</b>	<b>13</b>	<b>25,799</b>	<b>82</b>	<b>3,745</b>	<b>91</b>
Other Criminal Code traffic	1,354	42	50	21	891	28	70	30	1,602	50	146	62
Impaired driving	4,227	15	250	6	4,029	14	476	12	24,197	85	3,599	92
<b>Other Federal Statute Total</b>	<b>3,322</b>	<b>17</b>	<b>414</b>	<b>19</b>	<b>4,315</b>	<b>22</b>	<b>640</b>	<b>29</b>	<b>13,005</b>	<b>65</b>	<b>1,173</b>	<b>53</b>

- nil or zero.

**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut. Excludes single-conviction cases in which the sex of the offender was unknown, and companies. Percentages represent the percent of all single-conviction cases that resulted in each type of sentence by sex.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.



Table 7

### Single-conviction Cases, Mean and Median Sentence Length and Fine Amount by Sex Nine Provinces and Territories in Canada, 1999/00

Offence Group	Type of sentence											
	Length of prison (days)				Length of probation (days)				Fine amount (\$)			
	Males		Females		Males		Females		Males		Females	
	mean	median	mean	median	mean	median	mean	median	mean	median	mean	median
<b>Total Offences</b>	<b>95</b>	<b>30</b>	<b>66</b>	<b>15</b>	<b>435</b>	<b>365</b>	<b>417</b>	<b>365</b>	<b>583</b>	<b>400</b>	<b>480</b>	<b>300</b>
<b>Criminal Code Offences</b>	<b>92</b>	<b>30</b>	<b>56</b>	<b>15</b>	<b>438</b>	<b>365</b>	<b>419</b>	<b>365</b>	<b>555</b>	<b>500</b>	<b>436</b>	<b>350</b>
<b>Crimes Against the Person</b>	<b>224</b>	<b>60</b>	<b>121</b>	<b>30</b>	<b>466</b>	<b>365</b>	<b>402</b>	<b>365</b>	<b>436</b>	<b>400</b>	<b>291</b>	<b>250</b>
Manslaughter	2,057	1,825	908	908	1,016	1,095	-	-	-	-	-	-
Other homicide and related	6,621	9,125	360	360	603	540	630	630	500	500	-	-
Attempted Murder	1,133	540	-	-	850	1,095	695	540	1,000	1,000	-	-
Robbery	535	365	284	180	631	730	618	720	441	300	1,016	500
Kidnapping	190	53	-	-	636	540	360	360	825	500	-	-
Sexual assault (level I)	391	240	366	366	622	540	593	365	667	500	850	850
Sexual assault (levels II and III)	1,255	730	-	-	683	730	-	-	-	-	-	-
Other sexual assault	1,265	365	-	-	828	730	540	540	-	-	-	-
Sexual Abuse	256	150	300	180	686	730	719	730	683	750	-	-
Assault with a weapon (level II)	112	60	108	60	500	365	450	365	576	500	399	300
Aggravated assault (level III)	482	360	401	360	616	540	583	540	805	750	-	-
Other major assault	53	30	21	18	409	365	370	360	415	350	244	250
Abduction	303	210	150	150	594	365	494	453	50	50	-	-
Common Assault	51	30	31	21	428	365	370	360	394	300	269	200
<b>Crimes Against Property</b>	<b>100</b>	<b>45</b>	<b>94</b>	<b>30</b>	<b>440</b>	<b>365</b>	<b>439</b>	<b>365</b>	<b>406</b>	<b>250</b>	<b>241</b>	<b>200</b>
Break and Enter	211	120	170	90	514	365	457	365	473	300	289	250
Arson	327	270	260	240	694	730	705	730	433	500	-	-
Fraud over \$5000	250	120	199	105	696	730	692	730	13,603	750	1,029	700
Fraud under \$5000	69	30	89	45	439	365	454	365	412	350	262	250
Fraud - unspecified	67	30	149	30	443	365	445	365	340	250	257	200
Possession of Stolen Property	86	45	46	30	430	365	431	365	480	300	336	200
Theft over \$5000	160	90	552	105	566	540	568	540	592	500	1,340	400
Theft under \$5000	50	30	70	15	406	365	402	365	273	200	223	173
Theft - unspecified	50	30	30	15	390	365	392	365	324	250	230	200
Property Damage / Mischief	40	30	31	21	375	360	340	360	283	250	184	200
<b>Other Criminal Code</b>	<b>44</b>	<b>21</b>	<b>25</b>	<b>10</b>	<b>437</b>	<b>365</b>	<b>408</b>	<b>365</b>	<b>425</b>	<b>200</b>	<b>290</b>	<b>150</b>
Weapons and Explosives	85	30	64	30	448	365	462	365	337	250	269	250
Unlawfully at large	37	30	25	18	347	360	343	360	291	250	288	250
Failure to appear	26	15	16	10	408	365	424	365	206	150	136	100
Other Administration of Justice	76	30	19	13	510	365	343	360	299	250	158	150
Public Order Offences	27	15	18	7	340	360	325	360	289	250	220	200
Morals - Sexual	91	30	11	6	457	365	404	365	358	225	358	200
Morals - Gaming / Betting	13	7	-	-	364	360	365	360	2,320	1,000	1,365	750
Breach of probation	34	30	24	15	392	365	379	360	279	200	197	150
Other Criminal Code Offences	124	30	123	30	509	365	443	365	1,579	300	868	200
<b>Criminal Code Traffic</b>	<b>61</b>	<b>30</b>	<b>48</b>	<b>20</b>	<b>343</b>	<b>360</b>	<b>373</b>	<b>360</b>	<b>671</b>	<b>600</b>	<b>602</b>	<b>600</b>
Other Criminal Code Traffic	79	30	63	30	314	360	364	360	695	600	528	500
Impaired Driving	55	30	45	14	349	360	374	360	669	600	605	600
<b>Other Federal Statute Total</b>	<b>128</b>	<b>30</b>	<b>175</b>	<b>30</b>	<b>394</b>	<b>365</b>	<b>384</b>	<b>360</b>	<b>687</b>	<b>200</b>	<b>761</b>	<b>150</b>

- nil or zero.

**Notes:** Data do not include New Brunswick, Manitoba, British Columbia and Nunavut. Calculation of means and medians excludes cases where the sentence length or fine amount was not known.

**Source:** Adult Criminal Court Survey, Canadian Centre for Justice Statistics, Statistics Canada.

## COMPARISON OF ADULT AND YOUTH SENTENCING

The Young Offenders Act states that a young offender should not receive a harsher sentence than an adult would for the same crime. For the most serious criminal offences, such as murder, adults clearly receive harsher penalties. However, offences that carry life sentences represent only a very small fraction of all crimes heard in court. This section makes comparisons of adult offenders sentenced in adult criminal courts and young offenders sentenced in youth courts, based only on cases involving a single charge, for the most common offences. One factor that has a significant impact on the sentence imposed is the prior record of the offender. In this comparison, prior record is not controlled for. Adult offenders may be more likely to have a prior criminal record due to the greater period of time at risk for committing offences.

Overall, an equal proportion of adults and youths (34%) received custody as the most serious sentence. Adults were much less likely to receive a term of probation, 28% versus 48% as the most serious sentence, in 1999/00. Adults on the other hand received fines at a rate notably higher than youths. Thirty-two percent of adults received a fine compared to 6% of youth. Given the differences in the availability and use of the various non-custodial sentences, comparisons between adult and youth offenders will be made on the basis of custody terms. Imprisonment is the most serious sentence that may be

imposed by a court in Canada; it thus provides a useful index of how severely various crimes are dealt with.

Though there were offences for which there was no difference in the proportions of adults and youth receiving a sentence to prison or custody, for some common offences, a greater proportion of adults than youths received imprisonment or a custody sentence.<sup>18</sup> For example, where almost half (47%) of adults were imprisoned for *Break and enter*, one quarter of youths were sentenced to custody for the same crime. The differences were not as pronounced for other common offences. For *Common assault*, 17% of adults and 16% of youths were sentenced to custody in 1999/00. Similarly, for *Property damage/mischief*, near identical proportions of adults and young offenders received custody as the most serious sentence (see Table 8).

Although it may appear from the higher incarceration rates for all the offences examined that adults are punished more severely than youth, a different picture is revealed when the same offences are examined in terms of the length of the prison sentence. Adults are frequently sentenced to shorter periods of imprisonment. As Table 8 shows, for many common offences, a greater proportion of adults who received incarceration were sentenced to a term of one month or less. Even without accounting for the early release provisions for which

<sup>18</sup> Includes only single-charge cases.

Table 8

### Single-charge Cases with Prison as Most Serious Sentence for Adult and Youth Offenders

Type of Offence		# of convicted cases	Single-charge cases			
			Prison		Length of prison sentence	
			#	%	1 month or less %	Greater than 1 month %
Theft under \$5,000	Adult	9,571	2,475	26	65	35
	Youth	4,571	646	14	43	57
Failure to appear	Adult	10,507	5,631	54	86	14
	Youth	3,837	1,383	36	51	49
Common assault (level I)	Adult	11,570	1,997	17	59	41
	Youth	3,506	578	16	43	57
Break and enter	Adult	2,581	1,209	47	21	79
	Youth	2,863	769	27	20	80
Property damage/mischief	Adult	3,377	532	16	70	30
	Youth	1,861	258	14	45	55
Assault weapon/bodily harm (level II)	Adult	2,974	932	31	33	67
	Youth	1,047	227	22	35	65
Possession of stolen property	Adult	3,172	1,040	33	46	54
	Youth	1,520	390	26	29	71
Robbery	Adult	632	444	70	13	87
	Youth	667	233	35	18	82

**Notes:** Adult data do not include New Brunswick, Manitoba, British Columbia and Nunavut.

**Source:** Adult Criminal Court Survey (ACCS), Youth Court Survey (YCS), Canadian Centre for Justice Statistics, Statistics Canada.



only adults are eligible, adult prison sentences are routinely shorter for these offences.

For single-charge cases of *Common assault*, where the incarceration rates were nearly identical, 59% of adults sentenced to prison received a term of one month or less, while only 43% of youths received this shorter custody sentence.

Similarly, in single-charge cases of *Property damage/mischief*, where a nearly identical proportion of adults and young offenders received sentences of imprisonment, adults were more likely to receive a short custody term. Seventy percent of adult offenders, compared to 45% of young offenders received custody sentences of 30 days or less.

## METHODOLOGY

The purpose of the Adult Criminal Court Survey (ACCS) is to provide a national database of statistical information on the processing of cases through the adult criminal court system. The survey consists of a census of *Criminal Code* and other federal statute charges dealt with in provincial/territorial adult criminal courts.

### Coverage

Some limitations on coverage of the survey should be noted. Three provinces and one territory (New Brunswick, Manitoba, British Columbia and Nunavut) are not included in the survey at this time. The data do not include Northwest Territories for 1996/97 and include three fiscal quarters of data for the territory in 1999/00. Also, some court locations in Quebec are not included. Information from Quebec's 140 municipal courts (which account for approximately 20% of federal statute charges in that province) are not yet collected. Finally, with the exception of Alberta and the Yukon, data are not provided from Superior Courts.

The absence of data from all but two Superior Court jurisdictions may result in a slight underestimation of the severity of sentences imposed across Canada. The reason for this is that some of the most serious cases, which are likely to result in the most severe sanctions, will be processed in Superior Courts. While these limitations are important, they have existed for several years, therefore, it is possible to make comparisons from one year to another using the ACCS.

### Counting Procedures

The basic unit of count for the Adult Criminal Court Survey is a case. A case is one or more charges against an accused person or corporation, where the charges receive a final disposition on the same date. Charges are linked to a case on the basis of the accused identifier and the date of the last court appearance.

The survey counts a charge more than once under any of the following circumstances:

- a charge is stayed in one reporting time period (fiscal year) and restarted in another time period;

- a charge is stayed and subsequently restarted with different case identifiers;
- a charge is transferred from one court location to another; and
- a charge is transferred to Superior Court but subsequently returns to Provincial Court with different case identifiers.

## Most Serious Offence and Disposition Rules

When a case has more than one charge, it is necessary to decide which charge will be used to represent the case (since a case is identified by a single-charge). In such multiple-charge cases, the "most serious disposition" rule is applied. Dispositions are ranked from the most to the least serious as follows: 1) guilty, 2) guilty of a lesser offence, 3) committed for trial in a Superior Court, 4) other dispositions were imposed, 5) stay of proceeding, 6) acquitted, withdrawn, dismissed.

In cases where two or more offences have resulted in the same disposition (e.g., guilty), the "most serious offence" rule is applied. All charges are ranked according to a seriousness scale based on the average length of prison sentence. If two charges are tied according to this criterion, information about the sentence type (e.g., prison, probation, and fine) is considered. If a tie still exists, the magnitude of the sentence is considered.

## Factors influencing the number of charges laid

Charging policies are determined individually by provinces and territories. In British Columbia, Quebec and New Brunswick for example, the police must obtain the approval of the Crown prosecutor before a charge is laid. However, British Columbia and New Brunswick do not provide data to the ACCS at this time. In other provinces and territories, the police have exclusive responsibility for the laying of a charge. This variability may affect the number and nature of charges laid across the country.

## Youth Court Survey

The Youth Court Survey (YCS) is a census of *Criminal Code* and other federal statute offences heard in youth court for persons aged 12 to 17 (up to the 18<sup>th</sup> birthday) at the time of the offence. The YCS follows a similar pattern as the ACCS in defining cases. Though respondents and the Canadian Centre for Justice Statistics (CCJS) make every effort to ensure complete survey coverage, slight under-coverage may occur in some jurisdictions. Refer to the publication *Youth Court Data Tables, 1999/00* for more information on data collection, editing and compilation for this survey.

## Comparisons with other sectors of the justice system

### Policing:

The Canadian Centre for Justice Statistics conducts the Uniform Crime Reporting (UCR) survey. This survey collects data on the crimes reported to the police. Counts from the UCR survey for offences cleared by charge are not comparable to ACCS figures for charges disposed of. There are many reasons for this. In part, it is the result of scoring rules used by

the UCR survey. The UCR survey counts violent offences in terms of the number of victims in the incident; non-violent offences are counted in terms of the number of separate incidents. Furthermore, the UCR figures include offences involving youths, while the ACCS case counts include only the very few youth offences that have been transferred to adult court.

**Corrections:**

The number of cases sentenced to prison, as reported by the ACCS, will differ from the number of actual admissions to correctional facilities. The CCJS conducts the Adult Correctional Services (ACS) Survey, which measures, among other things, the number of persons admitted to correctional facilities

in Canada. The number of cases with prison sentences (ACCS) and the number of admissions to correctional facilities (ACS) differ because the number of sentenced admissions reported by the Adult Correctional Services survey includes persons sentenced to prison in Superior Courts as well as admissions resulting from fine defaults. In 1999/00, only two jurisdictions, Alberta and the Yukon, reported Superior Court data to the Adult Criminal Court Survey, and sentences to prison for reason of fine defaults are not collected by the survey. Also, any accused sentenced to time-served prior to a sentence commencing would be counted differently in each survey. The ACCS does not have data on the duration of prison time already served, and the adult correctional data identifies these sentences as a remand prior to the completion of the trial.



## Canadian Centre for Justice Statistics

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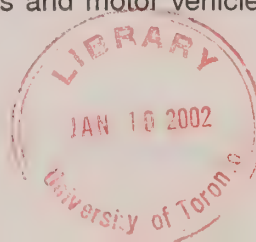


## CRIME COMPARISONS BETWEEN CANADA AND THE UNITED STATES

by Maire Gannon

### Highlights

- A comparison of police-reported crime rates between Canada and the United States for 2000 shows that the U.S. has much higher rates of violent crime, while Canada generally has higher rates of property crime. Despite differences in rates, trends in crime between the two countries have been quite similar over the past twenty years.
- In Canada, there were 542 homicides in 2000 resulting in a national rate of 1.8 homicides per 100,000 population. By comparison, there were 15,517 homicides in the U.S., resulting in a rate (5.5) three times higher than Canada's.
- Both countries have seen a decline in the number of homicides during the past decade, particularly in the U.S. Twenty years ago, the American homicide rate was about four times that of Canada.
- Similarly, the aggravated assault rate in the U.S. was more than double the Canadian rate in 2000. The U.S. also showed a higher rate of robbery (65% higher) than Canada. About 41% of robberies in the U.S. involved a firearm, compared to 16% in Canada.
- Canada reported higher rates for three of the four comparable property offences. There were about 30% more break-ins and motor vehicle thefts per capita in Canada than the U.S. in 2000. While Canada has had a higher rate of break-ins since the early 1980s, the motor vehicle theft rate has only surpassed the American rate over the last five years. The arson rate in Canada was 40% higher than in the U.S., while the U.S. reported 11% more thefts per capita than Canada.
- In examining arrest/charge data, the U.S. had much higher rates for drug offences, impaired driving and prostitution.
- The report also compares crime rates among the nine largest metropolitan areas in each country. With the exception of Boston, the remaining eight large American metropolitan areas had homicide rates much higher than any of the nine largest Canadian metropolitan areas. Conversely, Vancouver and Winnipeg reported higher rates of break-ins and motor vehicle thefts than any of the nine American metropolitan areas.

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## INTRODUCTION

Globalization, along with the corresponding growth of information technology has led to an increased need and demand for accurate and reliable cross-national crime comparisons. The demand is especially great between Canada and the United States, since these nations are geographically proximate and share similar social and economic experiences.

One way to measure crime levels in Canada and the United States is to examine police reported data. Although both countries administer national Uniform Crime Reporting (UCR) programs, these two programs use different offence definitions, as well as techniques used to record and count crime. A recent Statistics Canada study examined the comparability of offence definitions, classifications, and scoring rules between Canada and the United States and found that seven offence-level crimes and three accused-level crimes could be reliably compared, with some minor modifications or caveats (see Box 1).<sup>1</sup>

This *Juristat* provides a cross-national analysis of Canadian and American crime rates and presents trend analysis on the comparable offences. It can be argued that crime rates should not be compared at the national level, as Canada and the United States have very different regional variations in crime, as well as varying socio-demographic and economic characteristics. Therefore, in addition to national comparisons, this report makes comparisons for various regions and metropolitan areas.

The focus of this analysis is on aggregated counts of offences gathered from the Canadian and American aggregate UCR programs. Both programs have virtually full coverage<sup>2</sup> of police agencies and follow similar scoring rules. Information will also be presented from the Homicide surveys. Please refer to the methodology section for a more detailed discussion on these data sources.

## NATIONAL CRIME RATE COMPARISON

Crime rate comparisons in this report involve the analysis of offence-level crimes. The term "offence", "crime", or "crime rate" refers to the total police-reported actual incidents.

### Total Crimes

The different number of offences collected in the two aggregate UCR programs (106 in Canada and 8 in the U.S.) prevents direct comparison of the American and Canadian total crime rates. However, it is possible to group together the comparable offences to indicate overall crime patterns. These offences include both violent crimes (homicide, aggravated assault, robbery) and property crimes (break and enter, motor vehicle theft, theft, arson). Minor modifications have been made for aggravated assault and arson to allow for comparability between the two countries.

Based on the selected violent crimes, the United States has a much higher violent crime rate than Canada. Taken together, the U.S. rates for homicide, aggravated assault and robbery are double the rates in Canada in 2000 (474 incidents per 100,000 versus 233) (Figure 1). While the rate for comparable property crimes is similar in both countries, Canada has higher rates than the U.S. for break and enter, motor vehicle theft, and arson (Figure 2).

<sup>1</sup> See Gannon, M. June 2001. Feasibility Study on Crime Comparisons between Canada and the United States. Catalogue no. 85-F0035XIE. Ottawa: Canadian Centre for Justice Statistics.

<sup>2</sup> The American UCR survey has approximately 87% coverage. See Methodology section.

# **BOX 1 – Comparability of Offences in the Canadian and American UCR programs\***

Crime	Definitional and Scoring Rule Differences	Impact
<b>Offence Level Crimes</b>		
Homicide	No differences	Nil
Aggravated Assault	The American definition is broader than Canada's. Along with aggravated assault, it also includes assault with a weapon and attempted murder.	The Canadian crime categories of aggravated assault, assault with a weapon, and attempted murder were combined.
Robbery	There are differences in the level of offence seriousness for robbery.	Minor
Break and enter	There are differences in classifications and scoring of recreational units, hotel rooms, and storage.	Minor
Motor vehicle theft	Farm equipment and construction equipment are excluded in the American category.	Minor
	Unlike the American UCR survey, Canada scores multiple motor vehicle thefts from a car dealership as one offence.	Minor
Theft	Recreational units, such as trailers, are excluded in the Canadian category.	Minor
Arson	Negligent burning and possession of arson paraphernalia are excluded in the American survey.	Minor
	The American UCR survey does not follow the most serious offence rule for this offence, and as a result, 3% of the difference in arson rates is due to this scoring variation.	Three percent of arson incidents were subtracted from the U.S. total.
<b>Accused Level Crimes</b>		
Drug violations	Canada generates more subcategories of drug offences than the U.S.	The Canadian subcategories of trafficking and production were collapsed into one offence to compare the sale/manufacture of drugs.
Impaired driving	The act of refusing a breathalyzer test is not scored as a separate offence in the U.S. but is often grounds for arrest for impaired driving.	Minor
	The Canadian definition contains more offences.	The Canadian offence of "impaired driving causing bodily harm or death" was excluded.
	State blood/alcohol level requirements, at times, differ from the Canadian legal limit.	Minor
Prostitution	The act of prostitution is not illegal in Canada, whereas it is generally prohibited in the U.S. However, the Canadian prohibition of acts surrounding prostitution make it practically impossible to legally engage in prostitution.	Minor

\* The American crime of forcible rape was non-comparable to the Canadian definition of sexual assault, and accordingly, this offence was excluded from the analysis.

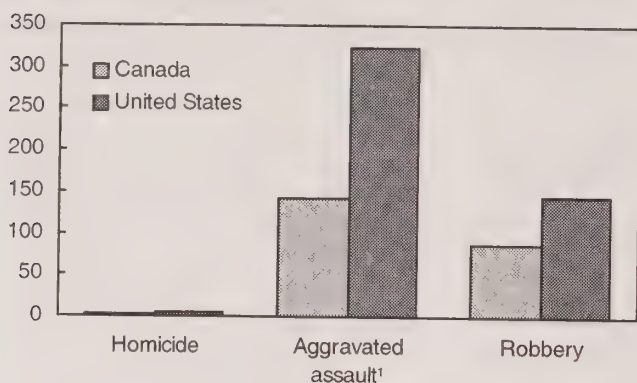
**Source:** Gannon, M. June 2001. *Feasibility Study on Crime Comparisons between Canada and the United States*. Catalogue no. 85-F0035X1E. Ottawa: Canadian Centre for Justice Statistics.



Figure 1

### Rates of comparable violent crimes, Canada and the United States, 2000

Rate per 100,000 population



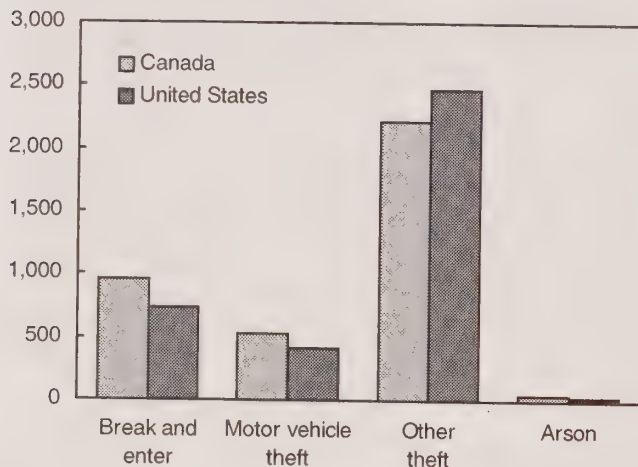
<sup>1</sup> For comparison purposes, the Canadian category includes attempted murder, assault with a weapon, and aggravated assault.

Source: Uniform Crime Reporting program, CCJS: Uniform Crime Reporting program, FBI.

Figure 2

### Rates of comparable property crimes, Canada and the United States, 2000

Rate per 100,000 population



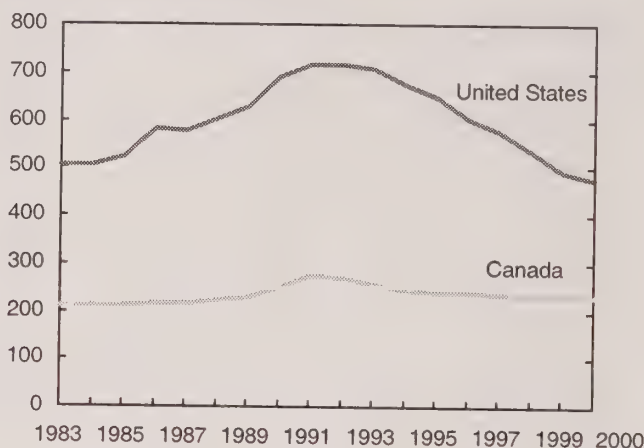
Source: Uniform Crime Reporting program, CCJS: Uniform Crime Reporting program, FBI.

Crime rates in both countries have followed very similar trends over the past twenty years (Figure 3 and Figure 4).<sup>3</sup> After peaking in 1991, both Canadian and American rates have generally been declining. According to a study conducted by the British Home Office, these decreases in police-reported crime contrast the trends in a number of other nations surveyed, including members of the European Union, as well as non-European countries.<sup>4</sup> Between 1989 and 1999, the volume of crime increased in 18 of the 25 countries surveyed.

Figure 3

### Rates of violent crime<sup>1</sup>, Canada and the United States, 1983-2000

Rate per 100,000 population



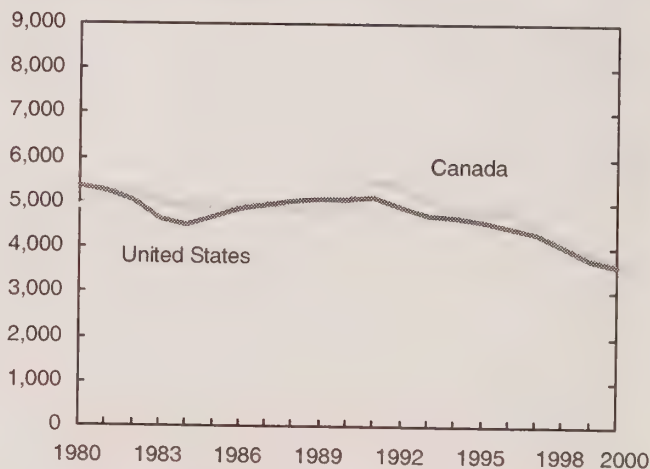
<sup>1</sup> Violent crime includes homicide, aggravated assault, and robbery. For comparison purposes, the Canadian category of aggravated assault includes attempted murder, assault with a weapon, and aggravated assault. Trend analysis starts in 1983 due to the reclassification of Canadian assault categories in 1983.

Source: Uniform Crime Reporting program, CCJS: Uniform Crime Reporting program, FBI.

Figure 4

### Rates property crime<sup>1</sup>, Canada and the United States, 1980-2000

Rate per 100,000 population



<sup>1</sup> Property crime includes break and enter, motor vehicle theft, and theft.

Source: Uniform Crime Reporting program, CCJS: Uniform Crime Reporting program, FBI.

<sup>3</sup> The offence of arson is excluded from the trend analysis, since the United States does not generate trend data for this offence due to yearly fluctuations in police reporting to the FBI.

<sup>4</sup> Barclay, G., C. Tavares, and A. Siddique. 2001 (May). International comparisons of criminal justice statistics, 1999. Issue 6/01. England and Wales: British Home Office.

## Violent Crimes

### Homicide rate is three times higher in U.S.

In 2000, the Canadian homicide rate was about one-third that of the American rate. There were 542 homicides reported by police in Canada for a rate of 1.8 per 100,000 population, compared to 15,517 homicides in the U.S., for a rate of 5.5 per 100,000 population.

One in three Canadian homicides involved the use of firearms, compared to two in three in the U.S.<sup>5</sup> Some researchers have suggested that the availability of firearms may explain the difference in levels of homicide.<sup>6,7</sup>

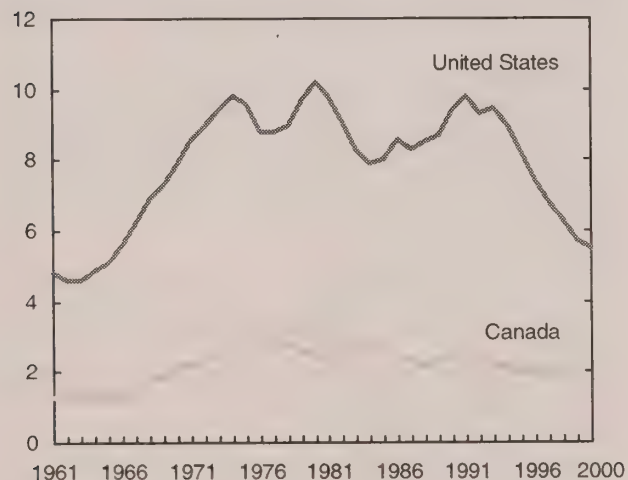
The proportion of homicides committed by strangers was slightly higher in the United States (23% compared to 17% in Canada).<sup>8</sup> However, in both countries, homicides were far more likely to be committed by someone known to the victim than by a stranger. Acquaintances committed 51% of homicides in Canada and 54% in the United States. In the remaining homicides (32% in Canada and 23% in the U.S.), the victims were killed by a family member.

Both Canadian and American homicide rates climbed steadily from 1961 to the mid-1970s (Figure 5). However, while the Canadian homicide rate has generally been declining since 1975, the American rate did not begin to consistently drop until the early 1990s. The difference between the two countries peaked in 1980, when the American rate was four times the Canadian rate. However, the large decline seen in the U.S. since 1991 (44%) parallels the drop in the Canadian rate over the past 25 years.

Figure 5

#### Rates of homicide, Canada and the United States, 1961-2000

Rate per 100,000 population



Source: Uniform Crime Reporting program, CCJS: Uniform Crime Reporting program, FBI.

### Aggravated assault rate more than double in the U.S.

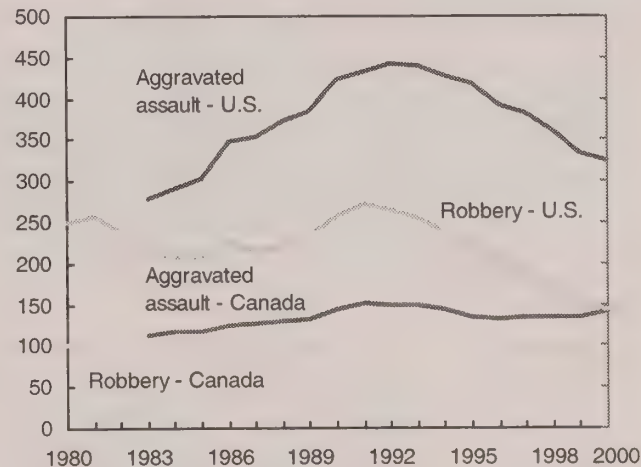
To make the American and Canadian categories of aggravated assault comparable, it was necessary to collapse three Canadian offences into one: attempted murder, assault with a weapon, and aggravated assault. This aggravated assault category represents the most serious form of assault, including actual and potential infliction of severe bodily harm.<sup>9</sup>

In 2000, Americans were much more likely than Canadians to be victims of aggravated assault. The U.S. rate of 324 aggravated assaults per 100,000 population was more than double the Canadian rate (143 assaults). However, the U.S. continued their downward trend with a 3% decrease, while Canada experienced an increase of 7% after seven years of relative stability (Figure 6).

Figure 6

#### Rates of aggravated assault<sup>1</sup> and robbery, Canada and the United States, 1980-2000

Rate per 100,000 population



<sup>1</sup> Trend analysis of aggravated assault starts in 1983 due to the reclassification of Canadian assault categories in 1983. For comparison purposes, the Canadian category of aggravated assault includes attempted murder, assault with a weapon, and aggravated assault.

Source: Uniform Crime Reporting program, CCJS: Uniform Crime Reporting program, FBI.

<sup>5</sup> Data for homicide characteristics come from the national homicide surveys. The Canadian survey has 100% coverage, compared to 82% coverage in the U.S. survey.

<sup>6</sup> Zimring, F.E. and G. Hawkins. 1997. *Crime is Not the Problem: Lethal Violence in America*. New York: Oxford University Press.

<sup>7</sup> Lewis, C. 1999. "Police records of crime" pp. 43-64 in G. Newman (ed.) *Global Report on Crime and Justice*. New York: Oxford University Press.

<sup>8</sup> Unknown relationships have been excluded from both Canadian and American surveys. The percentage of unknown relationships is slightly higher in the U.S., since 37% of all U.S. homicides are unsolved, compared to 26% in Canada.

<sup>9</sup> Assault level 1, the least serious form of assault and the most frequently reported category of violent crime in Canada is excluded, since the American UCR survey captures only arrest information on this offence.



## Robbery rate 65% higher in U.S.

Canada and the United States define robbery as stealing or attempting to steal with force or the threat of force.<sup>10</sup> In Canada, there were 27,012 robbery incidents reported for 2000, representing a rate of 88 per 100,000 population. The U.S. robbery rate was 65% higher (145 robberies per 100,000 population). The differences in the robbery rate between the two countries are even more pronounced if one examines the rate of robberies committed with a firearm. In 2000, 41% of U.S. robberies were committed with a firearm compared to 16% in Canada. This translates into 60 firearm robberies per 100,000 U.S. population, which is over four times the Canadian rate of 14.

Over the past ten years, the difference between Canadian and American robbery rates has narrowed considerably (Figure 6). This is largely due to the sharp decline in the U.S. robbery rates from 1991 to 2000 (-47%). A smaller drop was reported by Canada during this time (-26%). In 2000, the American rate declined 4%, while the Canadian rate decreased 7%.

## Property Crimes

### Canada's break and enter rate higher than U.S.

Canada reported a break and enter (B&E) rate of 954 per 100,000 population in 2000, 31% higher than the American rate (728). The difference in the rate between the two countries has been about the same over the past decade (Figure 7). However, for most of the 1980s, the Canadian and American rates of break and enter were very similar. In the period from 1989 and 1991, the Canadian rate jumped by 21% and the American rate fell slightly (2%). Since 1991, both countries have reported decreases, including a 9% drop in Canada for 2000 and a 5% decline in the United States.

#### Types of B&Es

In Canada, police reported that thieves broke into 572 residences per 100,000 population, compared to a rate of 474 in the U.S. As residential B&Es account for 60% of all Canadian B&Es and 65% of American ones, it is not surprising that trends in residential rates are very similar to the overall trends. After peaking in 1991 at a rate of 880 residential B&Es per 100,000 population, the Canadian rate has declined 35%. Similarly, the U.S. experienced a substantial drop (-43%) in rates of residential break and enters over the past decade.

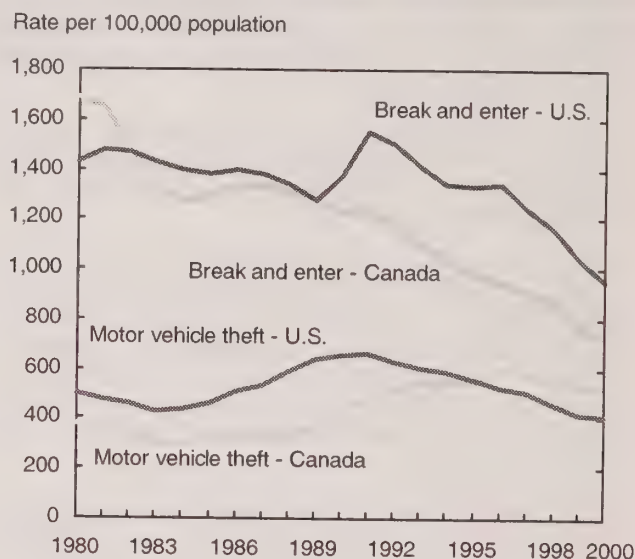
In 2000, Canadian police reported 383 non-residential break-ins (e.g., businesses and private structures) per 100,000 population. This is 50% higher than the American rate of 254.

### Canada's motor vehicle theft rate 26% higher than U.S.

In 2000, Canada's police reported a rate of 521 motor vehicle thefts per 100,000 population, 26% higher than the rate of 414 in the U.S. This difference was primarily due to the fact that Canadians were twice as likely as Americans to experience thefts of trucks, minivans or sports-utility vehicles (163 incidents per 100,000 versus 79 incidents). Over the last decade, this category of vehicle has grown from 22% to 31% of all vehicles stolen in Canada. A smaller increase was reported in the U.S.

Figure 7

### Rates of break and enter and motor vehicle theft, Canada and the United States, 1980-2000



Source: Uniform Crime Reporting program, CCJS; Uniform Crime Reporting program, FBI.

(15% to 19%). The increasing popularity of trucks cannot explain the Canada-U.S. difference, as truck sales have been growing at approximately the same rate in both nations over this time.<sup>11,12</sup> In 2000, the rate of thefts of cars, the most common type of vehicle stolen in both Canada and the United States, was virtually the same between the two countries.

In general, motor vehicles are stolen for joy-riding, to commit another crime, or for re-sale by organized crime groups. The proportion of stolen vehicles that are never recovered is a good indicator of the number of vehicles stolen by organized theft rings.<sup>13</sup> In Canada and the United States, about one in three vehicles were never found by authorities.<sup>14</sup>

The Canadian motor vehicle theft rate first surpassed the U.S. rate in 1996 (Figure 7). Despite annual decreases since then, including a 2% decline in 2000, the Canadian rate has remained higher than the U.S. rate. The U.S. reported the same decrease (2%) as Canada in 2000. However, American rates have been falling for the past ten years.

<sup>10</sup> Both surveys record incidents with no violence or threat of violence, such as pick-pocketing, as thefts.

<sup>11</sup> Distributive Trades, Statistics Canada. 2001. New Motor Vehicle Sales Survey.

<sup>12</sup> Bureau of Transportation Statistics, U.S. Department of Transportation. 2001 (April). National Transportation Statistics, 2000. Washington, DC: U.S. Government Printing Office.

<sup>13</sup> Clarke, R. V. and P. Harris. 1992. "Auto theft and its prevention" Crime & Justice: A Review of Research. 16, published under the direction of Michael Tonry. Chicago: University of Chicago Press.

<sup>14</sup> Data for Canada come from the Insurance Crime Prevention Bureau (Toronto, Canada), 1999. Data from the United States come from the 2000 Summary UCR program.

*ERRATA*

Catalogue no.85-002-XPE Vol. 21, no. 11

**Crime Comparisons between Canada and  
the United States**

Figure 7

Label

"Break and enter – U.S."

**Should read**

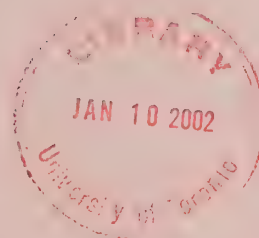
"Break and enter – Canada"

Label

"Break and enter – Canada"

**Should read**

"Break and enter – U.S."







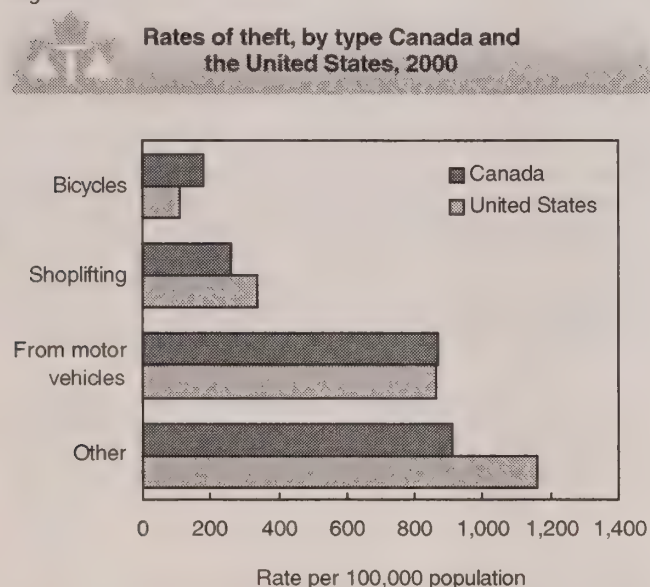
## U.S. theft rate higher than Canada

In comparison to Canada, the United States reported 11% more thefts per 100,000 population. An examination of trends reveals that, prior to 1994, Canada reported higher rates of theft than the U.S. Since 1991, these two nations have experienced general declines in total thefts with the Canadian rate dropping faster than the American rate (-37% versus -23%). Both countries reported a 3% drop in 2000.

### Types of Theft

The United States reported higher rates for two of the four theft types (Figure 8). For the largest theft category, the U.S. rate of "other" thefts, such as pick-pocketing and purse snatching, was 1,160 incidents per 100,000 population, 28% higher than the Canadian rate (909). Police data also indicated that the U.S. rate of shoplifting was 30% higher than in Canada. On the other hand, Canada had a 65% higher rate of stolen bicycles. The rates of theft from motor vehicles were virtually identical between the two countries (870 incidents per 100,000 in Canada versus 864 in the U.S.).

Figure 8



Source: Uniform Crime Reporting program, CCJS: Uniform Crime Reporting program, FBI.

## Arson rates higher in Canada

Arson involves the burning or the attempt to burn property with or without the intent to defraud. In 2000, the Canadian rate of arson was 41% higher than the American rate. Canada recorded 45 incidents per 100,000 population, compared to the American rate of 32.<sup>15,16</sup>

## Regional Analysis

As there is considerable variation in the distribution of police-reported crime within Canada and the United States, it is important to account for intra-national variation in crime rates.

To facilitate this comparison, comparable provinces/territories and states were grouped into six regions: Atlantic, Central, Mid-West, Mountain/West, North, and South (See Methodology). The Southern region was not created for Canada, due to the lack of a comparable region.<sup>17</sup>

In general, comparable violent and property crimes in the U.S. and Canada tend to increase from east to west. The mid-west experienced the highest crime rates within Canada, while the mountain/west had higher rates in the U.S.

Similar to the overall cross-national patterns, the U.S. recorded higher rates than Canada for homicide, aggravated assault, and robbery in most geographic regions (Table 1). Exceptions to this pattern include higher homicide rates in northern Canada and higher rates of aggravated assault and robbery in the Canadian mid-west.

Canadian homicide rates were higher in the north, whereas U.S. homicide rates were highest in the central and mountain/western region. Within each country, aggravated assaults were highest in the north and lowest in the Atlantic regions. While robbery rates were lower in both Atlantic and northern regions of Canada and the United States, the mid-west region of each country showed very different patterns. The Canadian mid-west had highest robbery rates, while the American mid-west experienced one of the lowest rates of robbery.

For all regions, break and enter rates were higher in Canada. Northern and mid-western regions of Canada reported the highest rates of B&E, while the mountain/west reported the highest rates in the U.S. Although there are generally higher rates of motor vehicle thefts in Canada, the rate of motor vehicle theft was higher in the American Atlantic states than the Canadian Atlantic provinces.

## Metropolitan Analysis

Another way to examine intra-national crime variations is to look at urban crime. In Canada, major metropolitan areas are known as Census Metropolitan Areas (CMAs), which can be defined as metropolitan areas having an urbanized core of at least 100,000 population with surrounding urban and rural areas which have a high degree of economic and social integration. The United States employs a similar concept, Metropolitan Statistical Areas (MSAs).

Average crime rates have been calculated for the two largest population groups: 500,000 and over and 250,000 to 499,999.<sup>18</sup>

<sup>15</sup> Adjustments were made to the American arson rates to account for the fact that the rate is driven upward 3% by the omission of the hierarchy rule. Refer to methodology on the hierarchy rule. Also, the American rate of arson was adjusted for the under-coverage for this offence. In 2000, 76% of U.S. police agencies submitted 12 months of arson data to the FBI.

<sup>16</sup> Trend data are not available for this offence, due to yearly fluctuations in U.S. survey coverage.

<sup>17</sup> The state of Hawaii was also excluded from the regional comparison, due to the lack of a geographically comparable region in Canada.

<sup>18</sup> An analysis of metropolitan areas with a population of 100,000 to 249,999 was not done, as half of the American MSAs in this population category are located in Texas. As such, an average rate would not be representative of the smaller MSAs in the U.S.



Table 1

Rates of criminal incidents by region, 2000<sup>1,2</sup>

	Atlantic <sup>3</sup>		Central <sup>4</sup>		Mid-west <sup>5</sup>		Mountain/West <sup>6</sup>		Northern <sup>7</sup>		Southern <sup>8</sup>		National Average	
	Canada	U.S.	Canada	U.S.	Canada	U.S.	Canada	U.S.	Canada	U.S.	Canada	U.S.	Canada	U.S.
Homicide	1.4	2.3	1.6	5.1	2.6	4.1	2.0	5.2	6.0	4.3	-	6.7	1.8	5.5
Aggravated Assault	93	238	124	272	301	229	157	343	403	405	-	382	143	324
Robbery	32	82	84	163	127	82	105	144	43	78	-	147	88	145
Break and enter	725	502	869	581	1,381	628	1,113	728	2,185	622	-	912	954	728
Motor vehicle theft	222	344	477	367	895	296	625	526	652	375	-	410	521	414
Theft	1,714	1,823	1,816	2,146	2,671	2,577	3,349	2,423	2,981	2,686	-	2,848	2,224	2,475

<sup>1</sup> Rates are calculated per 100,000 population.

<sup>2</sup> Due to state variations in the survey coverage of arson, this offence is excluded from the analysis.

<sup>3</sup> The Atlantic provinces include Newfoundland, Prince Edward Island, Nova Scotia, and New Brunswick.

For the United States, the Atlantic states include Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

<sup>4</sup> The Central provinces include Quebec and Ontario. The American central states include Illinois, Indiana, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Wisconsin.

<sup>5</sup> The mid-Western provinces include Manitoba and Saskatchewan. The American states include Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota.

<sup>6</sup> The Mountain/Western provinces include Alberta and British Columbia. The American states include Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

<sup>7</sup> The Northern region includes 3 Canadian territories: Yukon, the Northwest Territories, and Nunavut, and the American state of Alaska.

<sup>8</sup> There are no Canadian provinces/territories that are geographically comparable to Southern United States. Southern states include Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia. Also included is the District of Columbia.

Source: Uniform Crime Reporting program, CCJS; Uniform Crime Reporting program, FBI

In 2000, 49% of the Canadian population and American population lived in a metropolitan area with a population of 500,000 or more. Eight percent of Canadians and Americans lived in a metropolitan area with 250,000 to 499,999 residents.

Similar to the rates for the total population, the United States reported higher rates of homicide, aggravated assault, robbery, and thefts in urban centres with populations over 500,000, as well as those with populations 250,000 to 499,999 (Table 2). On the other hand, Canadian CMAs within the two population groups experienced more break and enters and motor vehicle thefts per capita than American MSAs.

Urban level analysis can also involve examining crime rates for specific metropolitan centres. The analysis below examines

crime rates for the nine largest metropolitan areas in Canada and the United States (Table 3).<sup>19</sup>

With exception of Boston, all American metropolitan areas had much higher homicide rates (ranging from 7.2 to 10.6 homicides per 100,000 population) than the nine Canadian CMAs (ranging from 1.0 to 2.5). Washington D.C. reported the lowest aggravated assault rate among the American MSAs, with a rate only 4% lower than the highest ranking Canadian CMA (Winnipeg). The second lowest American aggravated assault

<sup>19</sup> It should be noted that the nine major U.S. metropolitan areas are not representative of U.S. metropolitan areas with populations 500,000 and over. These nine cities have lower rates of break and enter and theft but higher rates of homicide, aggravated assault, robbery, and motor vehicle theft.

Table 2

Average rates for metropolitan areas by population group, 2000<sup>1,2</sup>

	Population 500,000 or more		Population 250,000 to 499,999		National Rate	
	Canada (9 CMAs)	U.S. (81 MSAs)	Canada (7 CMAs)	U.S. (62 MSAs)	Canada	U.S.
Homicide	1.8	6.4	1.4	4.4	1.8	5.5
Aggravated assault	156	365	122	284	143	324
Robbery	138	197	74	108	88	145
Break and enter	931	740	940	788	954	728
Motor vehicle theft	652	543	485	334	521	414
Theft	2,330	2,562	2,557	2,752	2,224	2,475

<sup>1</sup> Rates are calculated on the basis of 100,000 population.

<sup>2</sup> Due to U.S. metropolitan variations in the UCR coverage of arson, this offence is excluded from the analysis.

CMA= Census Metropolitan Area

MSA= Metropolitan Statistical Area

Source: Uniform Crime Reporting program, CCJS; Uniform Crime Reporting program, FBI.

Table 3

### Offence Rates for Nine Major Canadian and American Metropolitan Areas, 2000<sup>1,2</sup>

	Population	Homicide	Aggravated assault	Robbery	Break and enter	Motor vehicle theft	Theft
<b>Canadian Metropolitan Areas</b>							
Toronto	4,751,408	1.7	157	107	553	365	1,692
Montréal	3,480,342	2.1	152	173	1,195	800	2,068
Vancouver <sup>3</sup>	2,048,823	2.0	164	187	1,430	1,058	4,415
Calgary	952,960	1.7	132	105	814	580	2,616
Edmonton	944,194	2.0	180	134	986	539	2,559
Ottawa <sup>4</sup>	822,933	1.0	123	96	690	558	1,835
Québec	689,654	1.7	76	70	925	230	1,771
Winnipeg	681,146	2.5	276	251	1,228	1,425	2,779
Hamilton	671,679	1.3	144	86	815	698	1,832
<b>Canada</b>	<b>30,750,087</b>	<b>1.8</b>	<b>143</b>	<b>88</b>	<b>954</b>	<b>521</b>	<b>2,224</b>
<b>American Metropolitan Areas</b>							
Los Angeles	9,534,500	10.6	607	298	636	674	1,726
New York	9,111,706	7.8	474	372	453	428	1,785
Philadelphia	5,079,925	8.1	350	270	507	492	2,199
Washington	4,904,313	7.4	265	171	452	484	2,223
Detroit	4,510,292	10.6	472	229	735	919	2,280
Houston	4,172,584	7.7	433	242	960	645	2,724
Boston <sup>5</sup>	3,573,108	2.1	..	106	408	426	1,640
Dallas	3,412,490	8.5	377	252	1,081	747	3,146
Phoenix <sup>6</sup>	3,235,892	7.2	354	170	1,111	1,010	3,524
<b>U.S.</b>	<b>281,421,906</b>	<b>5.5</b>	<b>324</b>	<b>145</b>	<b>728</b>	<b>414</b>	<b>2,475</b>

<sup>1</sup> Rates are calculated on the basis of 100,000 population.

<sup>2</sup> Major American metropolitan areas represent the nine most populous Metropolitan Statistical Areas (MSAs) generated by the FBI.

These MSAs are not necessarily the largest according to the U.S. Census Bureau, since MSAs must have at least 75% reporting to the FBI and the central city/central cities must have submitted all 12 months of crime data to be included in the FBI reports.

<sup>3</sup> From September to December 2000, as a result of labour action, there was a decrease in thefts reported to Vancouver Police.

<sup>4</sup> Ottawa represents the Ontario part of the Ottawa-Hull CMA.

<sup>5</sup> Data for aggravated assault are not available.

<sup>6</sup> Phoenix is tenth most populous MSA. The ninth major MSA (Riverside-San Bernardino, CA; population 3,252,772) is excluded from the presentation, since the urban core has a population of 657,962, compared to the city of Phoenix which has a population of 1,300,786.

Source: Uniform Crime Reporting program, CCJS; Uniform Crime Reporting program, FBI

rate (Philadelphia) was 27% higher than Winnipeg. The robbery rate for Boston, the lowest of the American metropolitan areas, fell in the middle of the nine Canadian CMAs, while the highest-ranking American MSA (New York) surpassed the highest Canadian rate (Winnipeg) by 48%.

Three Canadian CMAs (Vancouver, Winnipeg, and Montreal) experienced more break and enters per capita than any of the nine American cities. Rates of break and enter in four American cities (Boston, Washington, D.C., New York, and Philadelphia) placed below all the major Canadian CMAs. For motor vehicle theft, Winnipeg and Vancouver had higher rates than the nine American MSAs, while both Québec and Toronto had lower rates than any of the American metropolitan areas.

## COMPARISON OF ARREST RATES FOR DRUG VIOLATIONS, IMPAIRED DRIVING, AND PROSTITUTION

The recording of drug violations, impaired driving, and prostitution is typically the result of pro-active policing rather than reporting to police. Also, data for these crimes can be

influenced by police use of alternative measures at the pre-charge level. Therefore, statistics for these crimes reflect as much the level of police enforcement and discretion as the actual behavioural patterns.

### BOX 2 – Defining Arrest and Charge Data

The American UCR program uses the term "arrest", while the Canadian program uses the term "charge" to refer to the number of offenders identified by police. Although the element of charge is not a requirement in either survey, American and Canadian police must consider the person "chargeable". In the American UCR, this means that arrested persons have received a citation or summons or have been detained pending criminal charges. Persons charged in Canada have been recommended to be charged by police or formally charged.

It should be noted that U.S. data on drug violations, impaired driving, and prostitution were not available at the offence-level.

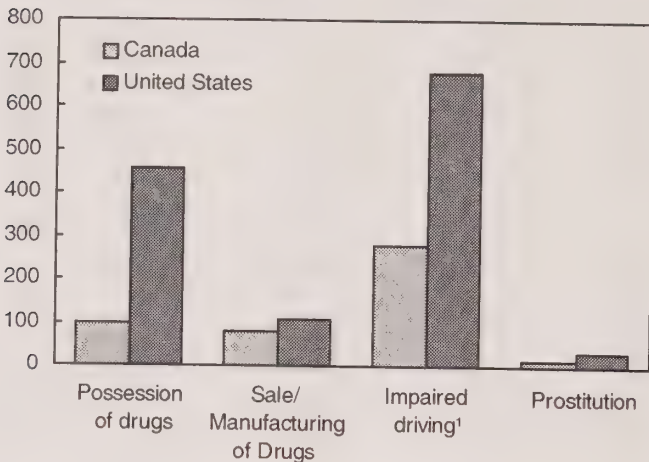
For the three offences examined, the U.S. had much higher arrest/charging rates than Canada (Figure 9). Combined, the American rate of arrest for drug offences, impaired driving, and prostitution was nearly two and a half times greater than the rate of persons charged with these offences in Canada.



Figure 9

### Rates of persons charged with/arrested for selected offences, Canada and the United States, 2000

Rate per 100,000 population



<sup>1</sup> Rates are calculated on the basis of persons aged 16 and over (potential drivers).

Source: Uniform Crime Reporting program, CCJS: Uniform Crime Reporting program, FBI.

### Arrests for drug possession much higher in the U.S.

In general, police can charge an individual with either drug possession or drug supply offences (e.g., trafficking and production). Both countries recognize this distinction in their UCR aggregate programs. Drug possession is a stand-alone category in the surveys, while the Canadian categories of trafficking and production<sup>20</sup> have been combined to mirror the American category of sale/manufacture.

Charges for drug possession account for just over half (56%) of all drug offences in Canada, compared to 4 out of 5 (81%) drug offences in the U.S. In 2000, drug possession represented an approximate rate of 454 arrests per 100,000 Americans, much higher than the Canadian rate of 100.

The cross-national difference for supply offences is less dramatic. For the sale and production of drugs, police in United States arrested 107 individuals per 100,000 population, 39% higher than the rate of 77 persons charged per 100,000 population in Canada.

In all, the rate of persons charged/arrested for drug violations was three times higher in the United States. This crime gap differs from the situation twenty years ago, when Canadian and American rates were virtually identical (Figure 10). Since 1980, the American rate has sharply increased (+117%), while the Canadian rate, despite increasing in recent years, has dropped 29%.

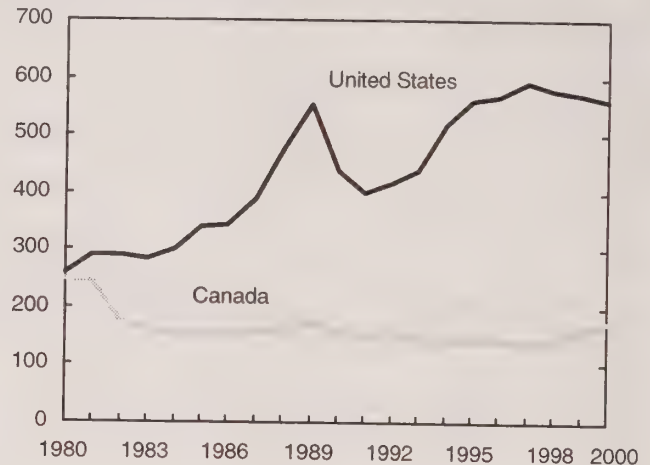
### U.S. has much higher arrest rate of impaired driving

Impaired driving can be defined as the impaired operation of a vehicle caused by alcohol or drugs. Police in the U.S. arrested

Figure 10

### Rates of persons charged with/arrested for drug offences, Canada and the United States, 1980-2000

Rate per 100,000 population



Source: Uniform Crime Reporting program, CCJS: Uniform Crime Reporting program, FBI.

679 individuals per 100,000 people aged 16 and over (population of potential drivers). In comparison, Canadian police charged 277 persons per 100,000 population aged 16 years and over. Some of the cross-national difference may reflect variations in enforcement practices, as impaired driving charges arise from both responsive and preventative action by the police.

Although males in both countries account for the large majority of persons charged with impaired driving, the proportion of females charged is slightly higher in the United States. In 2000, females accounted for 16% of total persons accused in the U.S., compared to 12% in Canada.

### Prostitution arrest rate higher in the U.S.

While prostitution is generally illegal in the United States, the Canadian *Criminal Code* only proscribes the acts surrounding prostitution. However, given that the Canadian prostitution offences, including communicating for the purposes of buying and selling sexual services, make it practically impossible to legally engage in prostitution,<sup>21</sup> it is possible to compare prostitution between the two countries. Prostitution may also include keeping a bawdy-house, pandering, detaining and transporting persons for immoral purposes.

<sup>20</sup> For heroine, cocaine, and other drugs, production and importation are grouped together in the Canadian survey. The inclusion of importation does not distort comparison, as this subcategory accounts for only 0.8% of all drug charges.

<sup>21</sup> Lowman, J. 1998 "Prostitution Law Reform in Canada" in *Institute of Comparative Law* (ed.) *Toward Comparative Law in the 21st Century*. Tokyo: Chuo University Press.

The American arrest rate for prostitution is three times greater than the Canadian rate (31 arrests per 100,000 population versus 13 persons charged per 100,000 population). Females accounted for 62% of the accused in the United States, compared to just over half (52%) of all persons charged in Canada. The historic predominance of females accused in prostitution-related offences has decreased since the mid-1980s, when approximately two-thirds (65%) of accused in the U.S. and 59% in Canada were females. This shift in the distribution of the sex of the accused may indicate changes in enforcement practices, in that some police agencies may be charging more men in an effort to hold customers more accountable for their participation in the sex trade. Also, the replacement of the Canadian solicitation law with the communication law in 1985 more clearly targets both clients and prostitutes.

## METHODOLOGY

### 1. Uniform Crime Reporting (UCR) Aggregate Program, Canada

The Canadian Uniform Crime Reports (UCR) is an annual program, administered by the Canadian Centre for Justice Statistics, Statistics Canada. The survey records summary crime information on the number of incidents reported to police, as well as the number of persons charged. In 2000, the program had virtually 100% coverage of police agencies.

The aggregate UCR survey classifies incidents according to the most serious offence in the incident (generally the offence that carries the longest maximum sentence under the *Criminal Code* of Canada). In categorizing incidents, violent offences always take precedence over non-violent offences. As a result, less serious offences are under-represented by the UCR survey.

### 2. Uniform Crime Reporting (UCR) Summary Program, United States

The American Uniform Crime Reports (UCR) survey is an annual program, coordinated by the Federal Bureau of Investigation (FBI) in the United States. The program records summary crime information on the number of incidents reported to the police, as well as the number of arrests. In 2000, the program covered 87% of all police agencies. To represent full coverage, the FBI estimates missing police reports at the agency level. Specifically, the volume of crime in non-reporting agencies is calculated based on the known offences of similar police agencies. Unless otherwise mentioned, all analyses in this report are based on these estimated survey counts.

The summary UCR program classifies incidents according to the "hierarchy rule". If an incident contains more than one offence, only the most serious offence is counted. Seriousness is determined by the location of an offence on the hierarchical scale. (For more information, refer to the UCR Handbook.<sup>22</sup>) Less serious offences are under-represented by the UCR survey.

### 3. UCR Regional Analysis: Grouping provinces/territories and states

To facilitate intra-national comparisons at the regional level, regions were created within Canada and the United States based on geographic location from East to West, as well as Northern and Southern extremes. The development of these regions benefited from the FBI's geographical divisions for the U.S.<sup>23</sup> Using the nine FBI divisions, the Canadian Centre for Justice Statistics created five distinct regions in the United States which could be considered geographically comparable to Canadian provinces. These regions included Atlantic, Central, Mid-West, Mountain/West, and South. The state of Alaska was pulled from the FBI's divisions to compare with the Canadian territories, forming the sixth and final region: the North.

The state of Hawaii was excluded from the regional analysis due to the lack of comparable Canadian provinces and the region of the South was created for the U.S., even though a comparable region could not be created for Canada.

Since most U.S. regions contained more than one state, the development of comparable Canadian regions also involved grouping provinces/territories. Below are the particular state and provincial/territorial configurations for the six regions created for the purpose of this report.

The *Atlantic region* includes the Canadian provinces of Newfoundland, Prince Edward Island, Nova Scotia, and New Brunswick and the U.S. states of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

The *Central region* includes the Canadian provinces of Ontario and Quebec and the U.S. states of Illinois, Indiana, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Wisconsin.

The *Mid-west* includes the Canadian provinces of Manitoba and Saskatchewan and the U.S. states of Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota.

The *Mountain/West* includes the Canadian provinces of Alberta and British Columbia and the U.S. states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

The *North* includes the Canadian territories of Yukon, Northwest Territories, and Nunavut and the U.S. state of Alaska.

The *South* includes the District of Columbia and 18 U.S. states: Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

<sup>22</sup> Federal Bureau of Investigation, Department of Justice. 1984. Uniform Crime Reporting Handbook. Washington, D.C.: Federal Bureau of Investigation.

<sup>23</sup> For a listing of these divisions, see Crime in the United States 2000, Uniform Crime Reports. 2001. Washington: FBI, Department of Justice.



#### **4. Homicide Survey, Canada**

The Homicide Survey has collected police-reported data on homicide incidents since 1961, including characteristics of victims and accused. In 2000, these data represented 100% of all reported homicides.

#### **5. Supplementary Homicide Report (SHR), United States**

The Supplementary Homicide Report has collected police-reported data on homicide incidents since the 1960s, including characteristics of victims and accused. In 2000, these data represented 82% of all reported homicides.

## Canadian Centre for Justice Statistics

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# Juristat

Canadian Centre for Justice Statistics



Statistics Canada – Catalogue no. 85-002-XPE Vol. 21 no. 12

## YOUTH CUSTODY AND COMMUNITY SERVICES IN CANADA, 1999/00

by Dianne Hendrick

### Highlights

- Admissions to youth correctional services declined in 1999/00. More than half of admissions to correctional services were to probation. The rate of admissions to probation was down 8% compared to the previous year, to 147 admissions per 10,000 youth.
- Admissions to secure and open custody (sentenced custody) accounted for 21% of youth correctional admissions. The rate of sentenced custody declined by 7%, to 64 admissions per 10,000 youth.
- Remand admissions accounted for 25% of youth correctional admissions. The remand rate declined by 4%, to 69 admissions per 10,000 youth.
- Time served in remand custody is short – about one week or less for half of those released. In comparison, just over half of releases from open custody (51%) and secure custody (56%) took place within one month of admission.
- The most common admissions to sentenced custody (open and secure) were related to property offences, accounting for 42% of admissions. Violent offences accounted for 22% of admissions and offences under the *Young Offenders Act* for 21%. The most common admissions to probation were property offences (49%) or violent offences (29%).
- Aboriginal youth continued to be over-represented in the youth correctional system. Among the ten jurisdictions to report Aboriginal status, Aboriginal youth accounted for 23% of admissions to sentenced custody, while they accounted for only 5% of the youth population in these jurisdictions.
- The average number of young offenders on probation at any given time far exceeds the average number of young offenders in custody, ranging from 7 to 10 times higher among reporting jurisdictions.



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## Introduction

Canadians recently expressed their views on young offenders and sentencing in the national 1999 General Social Survey. Alternatives to prison for young offenders were favoured by Canadians, particularly for first-time offenders.<sup>1</sup> Knowledge of sentences served in the community and in custody is required by the public, correctional service officials, policy makers and legislators to make informed decisions.

The purpose of this *Juristat* is to provide information from the correctional services sector to describe the case-flow and workload of the youth correctional system. The correctional services sector provides counts of youth admissions to custodial facilities and to probation through the Youth Custody and Community Services survey (YCCS). This survey is a recent survey, with the first data released for the year 1997/98. Refer to the annual publication for YCCS information highlighted in this *Juristat*.<sup>2</sup>

The YCCS data describe the number and characteristics of youths admitted to correctional institutions and probation according to the nature of the offence, the length of disposition ordered by the court and releases from correctional services by duration of actual time served. Also presented is information on the sex, age and Aboriginal status of youth admissions to custody and probation. This *Juristat* presents data from two perspectives: (1) the annual caseload description provided by admission counts and, (2) the daily workload in the correctional system summarized by the average number of young offenders in custody or on probation on any given day. These daily workload counts are computed into incarceration rates and probation rates based on the number of youths in the population. Data on average daily counts are taken from the Corrections Key Indicator Report. All inter-jurisdictional comparisons of these data should consider that the administration of correctional services may vary among jurisdictions. For example, in some provinces, the administration of youth corrections is shared between the ministries of social services and correctional services.

### Sentences Available in Youth Court<sup>3</sup>

Youth court judges have many options available when sentencing a young offender. These options include, for example, custody, probation, fine, community service, restitution, a conditional or absolute discharge.

Custody is the most serious sentence that may be used against young offenders in Canada. Custody may be either secure or open. Secure custody refers to facilities designated for secure restraint. Open custody refers to facilities such as residential centres or group homes. Terms of custody for young offenders are limited to a maximum of two years for convictions for which the adult maximum is not life imprisonment. For crimes punishable by life or where multiple offences are involved, the maximum is three years, and for first degree murder a young offender may be sentenced in youth court for up to ten years: six years in custody followed by four years of conditional supervision.

Probation involves placing a number of conditions on the offender for a specified period of time – up to two years. Probation orders include a number of mandatory conditions and may include other optional conditions. The mandatory conditions require the offender to keep the peace, be of good behaviour, and appear before the court as required. Optional conditions may include a curfew, reporting to a probation officer, and attending school. Probation is often used in combination with other sanctions.

A community service order is a disposition where a young person is ordered to perform unpaid work for the community. The maximum length of a community service order is 240 hours with a maximum term of completion of twelve months.

Other available sanctions include [fines] restitution, compensation, prohibition or a conditional or absolute discharge.

<sup>1</sup> See Tufts, 2000.

<sup>2</sup> The YCCS standard data tables and the Key Indicator Report data are available in the Youth Custody and Community Services Data Tables, 1999/00 publication (catalogue number 85-226-XIE).

<sup>3</sup> Excerpts from Sanders, 2000.



## ADMISSIONS TO YOUTH CUSTODY AND PROBATION

An admission to custody or to probation occurs when a youth commences an uninterrupted period of supervision within a specific custody status (e.g., remand, secure or open) or probation under the authority of the Provincial/Territorial Director responsible for the administration of youth corrections and/or programs. An admission is counted each time a young offender commences a particular custody status or a term of probation, including changes from one status to another (e.g., one youth held during trial in remand custody and then sentenced to secure custody results in two admissions). An admission is tabulated according to one offence - the most serious offence (MSO). Although it is possible that a youth is being held for multiple offences related to a single admission, the admission appears only once in the counts in relation to the most serious offence. Therefore, less serious offences tend to be under-represented in tables that describe offence information. For more information on the YCCS survey, refer to the Methodology section at the end of this report.

In 1999/00, there were approximately 15,550 admissions to open and secure custody facilities in Canada, excluding Nunavut (see Table 1). Slightly more than half of these were sentenced admissions to open custody, while the remainder were to secure custody. In addition, remand (temporary detention) accounted for approximately 9,900 admissions to youth custody. Nevertheless, the majority of correctional service work was the administration of probation; 55% of admissions to correctional services were admissions to probation. Comparing reporting jurisdictions to the previous year, admissions for young persons sentenced to custody decreased by 7%, and remand by 4%, while probation decreased by 8%.

### Non-Prison alternatives favoured for young offenders

Canadians favour sentences for young offenders that are alternatives to prison. Canadians strongly favour alternatives to prison for young people who are first-time offenders convicted of breaking and entering or assault, while alternatives to prison were favoured by only half of respondents for repeat offenders in similar situations. In the 1999 General Social Survey on Victimization, a representative sample of Canadians aged 15-years of age and older were asked several questions about their attitudes towards prison and non-prison sentences such as probation, fines, and community work. Respondents expressed views on sample crime scenarios involving either youth or adult offenders found guilty of breaking into a house when the owners were on vacation and taking goods worth \$400, or found guilty of an assault where the victim received minor injuries but did not require medical attention.

*Non-prison sentences were preferred by 7 in 10 Canadians for the first offence of breaking and entering and assault committed by the young offender while 5 in 10 Canadians preferred this sentence for a repeat offence. For adult offenders, a non-prison sentence was preferred by 6 in 10 Canadians for a first offence compared with 3 in 10 Canadians for the repeat offender convicted of either breaking and entering or assault (Tufts, 2000).*

Support for non-prison alternatives has been the standard among the judiciary for young offenders, particularly for first-time offenders, based on youth court statistics (see Sanders, 2000). In 1999/00, for example, 63% of convictions for first-time young offenders ended in probation compared with 42% for repeat offenders, and a term of custody was ordered for only 17% of first-time offender convictions compared with 42% for the repeat offender (deSouza, 2001).

## CUSTODY ADMISSIONS

Remand admissions accounted for the largest share of custodial admissions among the ten reporting jurisdictions, while the next most common admissions were to open custody and finally secure custody. While remand is not a sentence under the YOA, the custodial nature of remand detention necessitates the inclusion of these data as a custody status. Youth are generally admitted into remand because youth court has denied them bail (i.e., release prior to court hearing). This is usually based on the determination that the youth poses a danger to society or there may be a chance that they will not appear for their court hearing. Most youth held in remand are awaiting a court hearing, or they may be awaiting sentencing. Although remand represents a large proportion of custody admissions, the "temporary nature" of remand results in short periods of detention. For this *Juristat*, custody admissions refer to secure and open custody admissions (as a result of a finding of guilt by the court) and remand admissions.

### Jurisdictional comparisons

When examining the data contained in this *Juristat* and the trends and differences between jurisdictions, it is important to consider that these data are as much a reflection of the differences in the administration of youth justice across Canada as they are an indication of delinquency.

Factors that contribute to differing trends is the use of informal (e.g., police discretion) and formal diversion measures (e.g. alternative measures) by police and crown. Such diversion methods have an impact on the court case-flow and caseload on correctional facilities and programs.

As the data are drawn from the local administrative systems, they also reflect local case management practices as well as differences in the way the information is administered on their systems. Consequently, the reader is advised to closely examine table notes and be cautious in making direct comparisons between jurisdictions and with prior years.

### Characteristics of Young Offenders

As with adults, the majority of youths involved in crime are males. Three-quarters (77%) of youth charged with a Criminal Code offence in 1999 were male and 23% were female (Tremblay, 2000). Similarly, eight in ten youth court cases in 1999/00 involved males (deSouza, 2001). Correctional admission data also reflect this pattern.

Young males in custody tend to be older than young females. At the time of admission to remand in eight reporting jurisdictions,<sup>4</sup> young persons aged 16 years or more accounted for 61% of admissions for males compared with 46% of admissions for females. Similarly, in sentenced custody among ten reporting jurisdictions,<sup>5</sup> young male offenders accounted for 63% of sentenced custody admissions compared with 44% for female offenders. These large differences were consistent among the jurisdictions, with the exception of Nova Scotia, and the Northwest Territories, and sentenced custody admissions in Prince Edward Island and Yukon. For a more detailed review of the differences between male and female young offenders in terms of types of offences committed and criminal history, refer to (deSouza, 2001).

<sup>4</sup> Excludes New Brunswick, Quebec, Ontario, Saskatchewan, and Nunavut.

<sup>5</sup> Excludes New Brunswick, Quebec, and Nunavut.



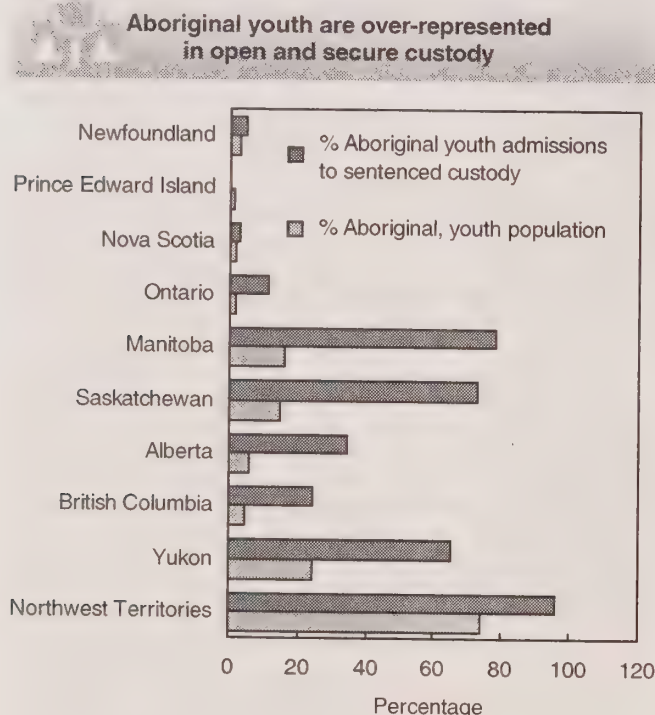
## Aboriginal youth over-represented in remand, secure and open custody

Aboriginal youth admissions accounted for approximately one in four admissions to remand, and to secure and open custody in 1999/00. Data from nine reporting jurisdictions (where aboriginal status was known)<sup>6</sup> showed that 27% of admissions to remand were Aboriginal youth compared with 23% of admissions to sentenced custody from ten jurisdictions.<sup>7</sup> In many of these jurisdictions, the proportion of sentenced admissions for Aboriginal youth far exceeded the proportion of Aboriginal youth in the general population, particularly among the western provinces (see Figure 1). Among the reporting jurisdictions, Manitoba showed the largest differences between the aboriginal youth population and the aboriginal sentenced population (16% versus 78% respectively). A similar profile was reported for remand admissions and again the largest difference in these two populations was in Manitoba (16% versus 69%). In addition, among the jurisdictions reporting data, aboriginal youth accounted for a larger proportion of admissions for females compared with admissions for males in remand (36% versus 24%) and sentenced custody (27% versus 22%).

### Remand Admissions

In 1999/00, there were 9,933 remand admissions in ten jurisdictions, accounting for the majority of custodial admissions (see Table 1).<sup>8</sup> A comparatively large proportion of the custody workload was remand admissions in Manitoba (76%), British

Figure 1



**Note:** Data unavailable from N.B., Que. and Nvt.

**Source:** Youth Custody and Community Services Survey, 1999/00, CCJS. Statistics Canada, 1996 Census: Aboriginal population.

Columbia (64%), and Alberta (60%). In contrast, 21% of custodial admissions in the Northwest Territories were remand admissions.

In 1999/00, among ten reporting jurisdictions, there were 69 youth admissions to remand per 10,000 youth population (see Table 2).<sup>9</sup> Next to the territories, the highest rates of remand admissions were reported in Manitoba (189 per 10,000 youth), in Alberta (94 per 10,000 youth) and by British Columbia (75 per 10,000 youth). The lowest rate was reported in Prince Edward Island (30 per 10,000 youth).

Of the seven jurisdictions reporting offence information,<sup>10</sup> property offences accounted for the highest proportion of remand admissions overall (34%), followed by violent crimes (23%), other Criminal Code (16%) and YOA (21%) offences. The YOA offence category represented the largest proportion of remand custodial admissions in British Columbia (36%).

### 8 in 10 remand releases occurred within one month

A youth may be released from remand for a number of reasons that include: a transfer into another form of supervision (i.e., open custody, secure custody, probation), a court finding of not guilty, or alternatively, a court finding of guilty where the court has considered the time spent in remand as sufficient punishment for the crime (time already served).

In 1999/00, among eight reporting jurisdictions,<sup>11</sup> about one-half (52%) of youth remand releases occurred within one week of admission, 31% spent between one week and one month, 16% served between one to six months, and 1% of remand releases took place after a period of more than 6 months.

### Initial entries into remand, custody and community services

For the YCCS survey, admission data measure the number of commencements to specific types of programs (i.e., remand, open and secure custody and probation). However, a youth's case may be composed of multiple types of program admissions from the time of entry under the authority of correctional services until release. Initial entry data indicate the number of case commencements in the youth correctional service system and are classified by the initial program type to which the youth is ordered.

For the eight jurisdictions that were able to provide initial entry statistics for 1999/00, there were 27,499 initial entries to youth correctional services.<sup>12</sup> In Newfoundland, for example, 668 initial entries were processed compared with 1,166 program admissions. Overall, initial entries to remand accounted for 26% of all entries, probation for 49%, community services programs for 11%, open custody for 8%, and secure custody for 6%. Few young offenders begin their experience in correctional services in open or secure custody.

<sup>6</sup> Excludes New Brunswick, Quebec, partial Ontario data, Saskatchewan, and Nunavut.

<sup>7</sup> Excludes New Brunswick, Quebec and Nunavut.

<sup>8</sup> Excludes Ontario, Saskatchewan, and Nunavut.

<sup>9</sup> Excludes Ontario, Saskatchewan, and Nunavut.

<sup>10</sup> Excludes New Brunswick, Quebec, Manitoba, Saskatchewan, Yukon and Nunavut, while partial data was reported by Ontario.

<sup>11</sup> Excludes New Brunswick, Quebec, Manitoba, Saskatchewan, and Nunavut.

<sup>12</sup> Excludes New Brunswick, Quebec, Saskatchewan, British Columbia and Nunavut.

## Admissions to Secure and Open Custody

In 1999/00, there were 15,552 admissions to secure and open custody among twelve reporting jurisdictions, or 64 admissions for every 10,000 youth in these jurisdictions (see Tables 1, 2). Secure custody admissions accounted for 47% of sentenced custody admissions compared to 53% for open custody.

At the national level, the secure custody admission rate was 30 admissions per 10,000 youth compared to a rate of 34 for open custody (see Table 3).<sup>13</sup> In comparison to the previous year, the rate of open custody admissions per 10,000 youth decreased by 10%, while the secure custody rate decreased by 3%. While the highest rates were reported in the territories, there was a great deal of variation among the provinces. Secure custody admission rates ranged from 6 per 10,000 youth in Nova Scotia to 44 admissions per 10,000 youth in New Brunswick. Open custody admission rates ranged from 16 per 10,000 youth in Prince Edward Island to 48 per 10,000 youth in Nova Scotia.<sup>14</sup>

## Majority of custody sentences for property offences

Four in ten sentenced custody admissions result from property offences. For the eight jurisdictions that provided offence information for open and secure custody admissions in 1999/00, property offences accounted for 42% of sentenced admissions. Violent offences represented 22% of sentenced custodial admissions, YOA admissions, 21%; other types of Criminal Code offences, 9%; drug-related offences, 3%; and other admissions, 3%.<sup>15</sup> Two specific offence types account for 40% of admissions to secure and open custody: YOA offences, which are largely a result of a young offender's failure to comply with a previous sentence (21%), and break and enter (19%) (see Figure 2).

British Columbia and the Northwest Territories reported the lowest proportion of custodial admissions for violent offences (18%) while Yukon reported the highest (24%). Property offence admissions ranged from 28% of all sentenced custody admissions in British Columbia to 77% in the Northwest Territories. Most jurisdictions consistently reported a large proportion of sentenced admissions for YOA offences (e.g. British Columbia, with a high of 39%). In contrast, in the Northwest Territories (2%), Alberta (15%) and Newfoundland (15%) these offences accounted for a small proportion of sentenced admissions.

### Sentence Length

When examining sentence lengths, it is important to distinguish between sentence lengths on admission and those on release. While a youth court judge stipulates the period of custody, events such as appeals, reviews, escapes, and the administration of additional sentences may influence the amount of time served. Time served on release may differ from time ordered for these reasons. In addition, correctional service officials may move the young offender from secure custody to open custody, in compliance with jurisdictional procedures.

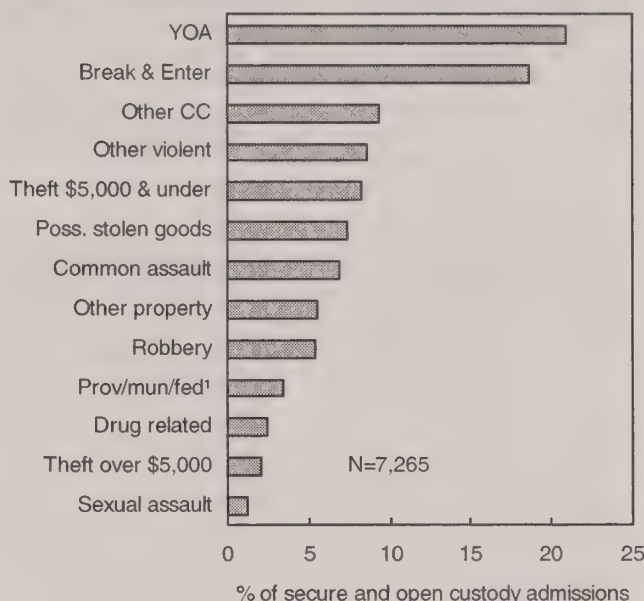
<sup>13</sup> Excludes Nunavut.

<sup>14</sup> Note that the administration of youth justice and the way secure and open custody facilities are used varies widely across the country. In addition, these youth may have been moved from remand custody. Refer to the Methodology section for a more detailed explanation.

<sup>15</sup> Excludes New Brunswick, Quebec, Ontario (partial data), Manitoba, Saskatchewan, and Nunavut.

Figure 2

## YOA and Break and Enter offences account for 4 in 10 admissions to secure and open custody



<sup>1</sup> Refers to admissions resulting from other types of federal, provincial and municipal infractions.

Note: Total admissions based on the most serious offence for the admission. Excludes N.B., Que., Ont. (partial data), Man., Sask., and Nvt.

Source: Youth Custody and Community Services Survey, 1999/00, CCJS.

## Proposed Youth Criminal Justice Act

The Youth Criminal Justice Act (YCJA) was introduced as a bill in the House of Commons on October 14, 1999 and is intended to replace the Young Offenders Act. The bill (currently Bill C-7) was developed and based upon A Strategy for the Renewal of Youth Justice, released by the federal government in May 1998, as its response to Renewing Youth Justice, April 1997, Report to the House of Commons Standing Committee on Justice and Legal Affairs (Douglas & Goetz, 2000). The proposed legislation will:

- expand the offences for which a young person convicted of an offence would be presumed to receive an adult sentence from murder, attempted murder, manslaughter and aggravated sexual assault to include a new category of a pattern of serious violent offences;
- lower the age for youth who are presumed to receive an adult sentence for the above offences to include 14- and 15-year-olds;
- permit the publication of names of all youth who receive an adult sentence;
- create a special sentence for serious violent offenders who suffer from mental illness, psychological disorder or emotional disturbance;
- require all periods of custody to be followed by a period of controlled supervision in the community to support safe and effective reintegration; and,
- allow for and encourage the use of a full range of community-based sentences and effective alternatives to the justice system for youth who commit non-violent offences (Department of Justice Canada, 1999).

Bill C-7 continues through the legislative process. No date for passage or enforcement is known at this time.



## Half of releases from sentenced custody occur within one month

In 1999/00, there were 4,720 secure custody releases and 5,647 open custody releases reported by eight jurisdictions. Fifty-three percent of releases from sentenced custody occurred within one month or less, 36% within one to 6 months, 9% within 6 months to 1 year, and 2% of releases occurred after more than 1 year in sentenced custody (see below). In Ontario, British Columbia and Yukon, six in ten releases occurred within one month or less compared with one in ten releases in the Northwest Territories.

Durations of Time Served, Open and Secure Custody, 1999/00

	1 month or less	greater than 1 month to 6 months	greater than 6 months to 1 year	greater than 1 year
	%			
Total <sup>1</sup> (100%)	53	36	9	2
Newfoundland	33	54	11	2
Prince Edward Island	36	45	16	3
Nova Scotia	35	57	8	0
New Brunswick	..	..	..	..
Quebec	..	..	..	..
Ontario	57	31	9	2
Manitoba	..	..	..	..
Saskatchewan	..	..	..	..
Alberta	45	48	6	1
British Columbia	62	29	8	2
Yukon	57	38	3	3
Northwest Territories	12	51	30	7
Nunavut	..	..	..	..

.. Figures not available

- Nil or zero

<sup>1</sup> Excludes New Brunswick, Quebec, Manitoba, Saskatchewan and Nunavut.  
Source: Youth Custody and Community Services Survey, CCJS, Statistics Canada.

In 1999/00, the majority of probation admissions involved males (77%). Similar to custody, young offenders aged 16 years and older accounted for a larger proportion of the probation admissions for males than females (59% versus 46%). Again, probation admissions showed an over-representation of Aboriginal youth, particularly among the western provinces. However, the degree of Aboriginal over-representation within probation was lower compared with custody in the eight jurisdictions that reported both probation and sentenced custody data.<sup>17</sup> Aboriginal youth accounted for 15% of probation admissions compared with 23% of sentenced custody admissions in 1999/00. In these jurisdictions, Aboriginal youth accounted for only 4% of the general youth population.

## Most young offenders on probation for more than six months

The majority of probation admissions are for terms longer than six months. For most reporting jurisdictions, the median probation sentence for young offenders was one year. In 1999/00, 16% of probation admissions were for terms of six months or less, 53% were greater than six months to one year, 28% for one to two years, and only 2% were longer than two years. While this pattern described most jurisdictions, a larger proportion of probation terms were shorter, from 3 to 6 months, in Nova Scotia and Alberta (25% each).

### Trends in Youth Crime

Police reported crime statistics show that since 1991 the rate of youths charged by police has dropped by 35%. In 1999, youths were charged at a rate of 407 youths per 10,000 in Canada (Tremblay, 2000). While the rate of property crime decreased consistently during this period of time, the youth crime rate for violent crimes increased during the earlier years and only declined recently (8% since 1996). These decreases rippled through the justice system as the rate of cases processed in youth court declined as well, by 17% from 1992/93 to 1999/00 (Sudworth, 2001). Throughout these years, approximately two-thirds of cases heard in youth court resulted in a finding of guilt, one-half of cases with convictions ended with a probation order as the most serious sentence, while another one-third ended in custody.

## PROBATION ADMISSIONS

### Over half of correctional workload is probation

In 1999/00, there were 34,536 admissions to probation among ten reporting jurisdictions,<sup>16</sup> representing 55% of correctional service admissions (see Table 1). Probation admissions varied from 36% of correctional service admissions in Yukon to 68% in Nova Scotia.

In comparison to the previous year, the rate of youth probation admissions declined by 8% (see Table 2). Among reporting jurisdictions, the largest decreases in the rate of probation admissions were reported in Newfoundland (20%), British Columbia (19%) and Saskatchewan (17%). The large proportion of probation admissions had a property offence as the most serious offence (49%). Violent offences accounted for 29% of probation admissions; other types of Criminal Code offences, 9%, YOA offences, 5%; drug-related offences, 4% and other offences, 4%. Similar to previous years, the offences that predominated were common assault (13% of probation admissions), theft of goods valued at \$5,000 and under (14%) and break and enter (15%).

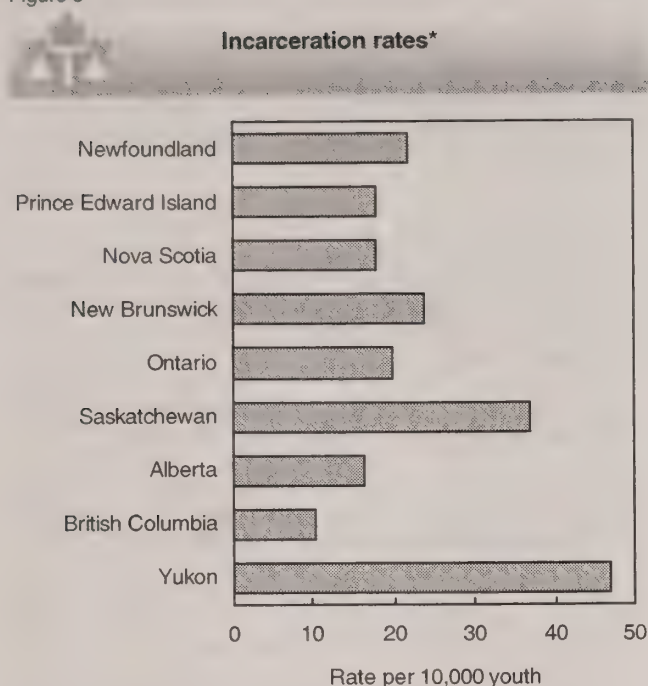
## DAILY WORKLOAD

Data on daily workload provide a different view of the youth correctional system compared with admission data. While admission data represent the movement of young offenders in and out of supervision (or case-flow), "average daily counts" (or caseload) provide workload data, which measure the volume of offenders held in custody or on probation at a given point in time. Although the average daily counts are more general in nature, they are an important and well-established management tool for correctional service officials. The average daily counts are also the figures used to calculate the incarceration and probation rates. A short-term trend analysis of these counts is possible since these data have been supplied to the CCJS since 1994.

<sup>16</sup> Excludes Manitoba, the Northwest Territories, and Nunavut admissions.

<sup>17</sup> Newfoundland, Prince Edward Island, Nova Scotia, Ontario, Saskatchewan, Alberta, British Columbia and Yukon reported both custody (secure/open custody) and probation admissions by Aboriginal status in 1999/00.

Figure 3



\* Average daily count in custodial facilities is the basis of a rate.

**Note:** Excludes data for Que., Man., N.W.T., and Nvt.

**Source:** Corrections Key Indicator Report for Adults and Young Offenders, 1999/00, CCJS.

The average number of young offenders on probation at any given time ranges from seven to ten times higher than the average number of young offenders in custody among reporting jurisdictions (see Table 4). This finding is not unexpected given that youth are more likely to be sentenced in court to probation than to custody, and youth on probation tend to receive longer terms than those sentenced to custody.

Incarceration rates and probation rates varied across the country in 1999/00.<sup>18</sup> These figures reflect the number of young offenders in custody or probation on any given day (average daily count) in relation to the number of youth in the population. In British Columbia, for example, there were 10 young offenders in custody for every 10,000 youth, while the Saskatchewan rate was 37 per 10,000 youth (see Figure 3). Provincial probation rates ranged from 112 young offenders per 10,000 youth in Alberta and British Columbia to 213 per 10,000 in Ontario.

### Custody: Short-term trends<sup>19</sup>

From 1995/96 to 1999/00, incarceration rates declined in all reporting jurisdictions. Prince Edward Island reported the largest decrease (37%) from 28.6 young offenders in custody daily per 10,000 youth in 1995/96 to 17.9 in 1999/00. In contrast, the Saskatchewan incarceration rate decreased marginally during these years. Noteworthy decreases also were reported by Alberta (33%), New Brunswick (25%), and Nova Scotia and British Columbia (23% respectively).

### Probation: Short-term trends<sup>20</sup>

From 1995/96 to 1999/00, most jurisdictions showed decreases in youth probation rates. Of the eight reporting jurisdictions, the most substantial declines occurred in Prince Edward Island (47%), Yukon (31%), and British Columbia (26%). In contrast, Saskatchewan and Ontario reported increases in the probation rate during this period (18% and 11% respectively).

## METHODOLOGY

This *Juristat* contains data collected from two different sources, Youth Custody and Community Services (YCCS) survey and the Key Indicator Report. The YCCS survey maintains both micro and aggregate level data, which are collected by provincial and territorial agencies responsible for the delivery of youth corrections and young offender programs. These data are collected annually on a fiscal year basis (April 1 to March 31). These data have been available since 1997-98.

In 1999/00, Newfoundland and Alberta provided case-specific information to the YCCS (i.e., micro-level data) that were then used to generate the aggregate level admission counts reported in this *Juristat*. These respondents represent roughly 13% of the national caseload. The remainder of reporting jurisdictions provided aggregate counts. Because of the limited coverage provided by the case-specific survey, analysis in this report has been limited to aggregated data.

Jurisdictions providing aggregate data complete a set of standard data tables, which are used to compile national data on admissions and releases. Micro data, on the other hand, are extracted directly from provincial operational systems, through the use of interface programs. The interface programs are designed to extract specific data elements and values identified in the National Data Requirements developed by provincial/territorial and federal members of the National Justice Statistics Initiative. Micro data reported by the jurisdictions are centrally processed, edited, and loaded onto the YCCS database. These data are later used to generate admission counts, which are tabulated in the aggregate standard data tables.

It is important to note that for both aggregate and micro level respondents, once the data are processed and compiled into the standard data tables, these data are analysed and returned to the jurisdictions for final verification. The participation of the jurisdictions in the survey process is vital to ensuring data quality and understanding the differences in provincial and territorial youth justice/correctional systems.

<sup>18</sup> Excludes Quebec, Manitoba and Nunavut average counts.

<sup>19</sup> Excludes Quebec and partial Ontario data (for young persons 12-15 years of age) from remand data.

<sup>20</sup> Excludes Quebec, the Northwest Territories from 1997/98 to 1999/00 and Yukon in 1999/00, and partial Ontario data (for youth aged 12 to 15 years of age) in all years.



## Unit of analysis

The YCCS survey generates two levels of data that describe the case-flow of youth within correctional facilities and programs: initial entry data and admission data. Initial entry data indicate at what point or type of supervision the youth first enters the youth corrections system. The second level, admission data, measures the movement of young offenders through admissions to different types of supervision. The following example provides an illustration of how admissions for one young offender are calculated by the YCCS survey. Where a youth has been denied bail and held in custody until he or she is sentenced to serve a term of secure custody, followed by a term of open custody and probation, the YCCS counts:

e.g. remand + secure + open + probation (all served consecutively)

- i) initial entry: 1 initial entry to remand
- ii) admissions:
  - 1 admission to remand
  - 1 admission to secure custody
  - 1 admission to open custody
  - 1 admission to probation.

In this example, one initial entry to remand would be counted. Typically, one youth should always be associated with one initial entry to one uninterrupted period of supervision. It is important to point out that if a young offender completes his/her supervision obligations and re-enters the system after re-offending in the same reporting year, he/she will generate more than one initial entry.

It is also important to point out that youth transferred from one facility to another while still under the same level of supervision are not counted as a new admission. As well, new admission counts exclude young offenders placed in secure custody as transfers from open custody facilities. These "administrative" transfers are for a short period of time, not to exceed 15 days, and are authorized by a senior correctional official. In addition, youth returning from a period of temporary absence are not included as a new admission.

The Key Indicator Report data measure the average counts of youth in custody (remand, secure, and open) and on probation. The data are collected annually on a fiscal year basis (April 1 to March 31). Jurisdictions submit monthly counts in aggregate format which are compiled by Correctional Services Program staff. Average counts include all youth on remand and temporary detention, sentenced offenders and other young offenders who are legally required to be at a facility and are present at the time the count is taken by correctional facility officials. Average counts for young offenders on probation

include young offenders on supervised probation at the end of the month.

The YCCS standard data tables and the Key Indicator Report data are available in the *Youth Custody and Community Services Data Tables, 1999/00* publication (catalogue number 85-226-XIE).

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Table 1

## Youth Correctional Admissions, 1998/99 and 1999/00

	Remand <sup>1</sup>			Sentenced custody <sup>2</sup>			Probation <sup>3</sup>		
	1999/00	1998/99	percent change for comparable jurisdictions	1999/00	1998/99	percent change for comparable jurisdictions	1999/00	1998/99	percent change for comparable jurisdictions
<b>TOTAL</b>	<b>9,933</b>	<b>10,435</b>	<b>-4</b>	<b>15,552</b>	<b>16,144</b>	<b>-7</b>	<b>34,536</b>	<b>37,754</b>	<b>-8</b>
Newfoundland	177	212	-17	358	394	-9	631	790	-20
Prince Edward Island	37	35	6	50	50	--	109	78	40
Nova Scotia	316	343	-8	409	424	-4	1,545	1,679	-8
New Brunswick <sup>4</sup>	263	291	-10	452	472	-4	862	858	--
Quebec	2,271	2,447	-7	2,343	2,459	-5	8,036	8,152	-1
Ontario <sup>5</sup>	..	.. <sup>r</sup>	...	7,359	7,403	...	15,186	16,123	...
Manitoba	1,858	1,636	14	579	686	-16	..	..	..
Saskatchewan	..	..	..	645	781	-17	1,634	1,957	-17
Alberta	2,484	2,851	-13	1,643	1,702	-3	3,115	3,387	-8
British Columbia	2,377	2,393	-1	1,352	1,484	-9	3,329	4,094	-19
Yukon	77	93	-17	79	78	1	89	96	-7
Northwest Territories <sup>6</sup>	73	134	...	283	211	...	..	540	...
Nunavut	..	...	...	..	...	...	..	...	...

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<sup>r</sup> revised<sup>1</sup> Remand counts in 1999/00 exclude Ontario, Saskatchewan, and Nunavut; the percent change over the previous year excludes these jurisdictions and the Northwest Territories.<sup>2</sup> Sentenced admission counts in 1999/00 exclude Nunavut; the percent change over the previous year excludes Ontario, the Northwest Territories and Nunavut.<sup>3</sup> Probation counts in 1999/00 exclude Manitoba, the Northwest Territories and Nunavut; the percent change over the previous year also excludes these jurisdictions and Ontario.<sup>4</sup> Due to system problems, all New Brunswick figures in 1999/00 are projections based on six months of actual data.<sup>5</sup> Due to a change in local data extraction methods in Ontario during 1999/00 all trend comparisons must be made with caution and the counts treated as indicators.

Excludes 4,927 remand counts in 1999/00 for young persons aged 16 and older, while data for those 12-15 years of age are unavailable. 1998/99 remand counts have been revised.

<sup>6</sup> Northwest Territories data prior to 1999/2000 may not be compared with the current year due to the creation of Nunavut on April 1, 1999.

The 1999/00 data include an unknown number of transfers from Nunavut. This change influences frequency counts, rates and trend analysis.

**Source:** Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics.



Table 2

## Youth Correctional Service Admission Rates per 10,000 youth, 1998/99 and 1999/00

	Remand <sup>1</sup> rate per 10,000 youth*			Sentenced custody <sup>2</sup> rate per 10,000 youth*			Probation <sup>3</sup> rate per 10,000*		
	1999/00	1998/99	percent change for comparable jurisdictions	1999/00	1998/99	percent change for comparable jurisdictions	1999/00	1998/99	percent change for comparable jurisdictions
<b>TOTAL</b>	<b>69</b>	<b>72</b>	<b>-4</b>	<b>64</b>	<b>65</b>	<b>-7</b>	<b>147</b>	<b>152</b>	<b>-8</b>
Newfoundland	37	42	-14	74	79	-6	131	164	-20
Prince Edward Island	30	28	5	40	41	-1	88	63	40
Nova Scotia	42	45	-8	54	56	-4	203	221	-8
New Brunswick <sup>4</sup>	43	47	-9	74	76	-3	141	140	--
Quebec	41	43	-5	43	44	-2	146	148	-1
Ontario <sup>5</sup>	..	.. <sup>r</sup>	...	80	82	...	166	176	...
Manitoba	189	168	13	59	70	-16	..	..	..
Saskatchewan	..	..	..	67	81	-17	170	203	-17
Alberta	94	110	-14	62	65	-5	118	129	-8
British Columbia	75	75	-1	42	47	-9	104	128	-19
Yukon	259	312	-17	266	262	2	300	323	-7
Northwest Territories <sup>6</sup>	184	190	...	712	300	...	..	..	...
Nunavut	..	...	...	..	...	...	..	...	...

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<sup>r</sup> revised<sup>a</sup> Rate calculations based on postcensal estimates as of July 1st, 1999, Demography Division, Census and Demographic Statistics Branch, Statistics Canada.<sup>1</sup> Remand rates in 1999/00 exclude Ontario, Saskatchewan, and Nunavut; the percent change over the previous year excludes these jurisdictions and the Northwest Territories.<sup>2</sup> Sentenced admission rates in 1999/00 exclude Nunavut; the percent change over the previous year excludes Ontario, the Northwest Territories and Nunavut.<sup>3</sup> Probation rates in 1999/00 exclude Manitoba, the Northwest Territories and Nunavut; the percent change over the previous year also excludes these jurisdictions and Ontario.<sup>4</sup> Due to system problems, all New Brunswick figures in 1999/00 reflect projections based on six months of actual data.<sup>5</sup> Due to a change in local data extraction methods in Ontario during 1999/00 all trend comparisons must be made with caution and the counts treated as indicators.

Excludes 4,927 remand counts in 1999/00 for young persons aged 16 and older, while data for those 12-15 years of age are unavailable. 1998/99 remand counts have been revised.

<sup>6</sup> Northwest Territories data prior to 1999/2000 may not be compared with the current year due to the creation of Nunavut on April 1, 1999.

The 1999/00 data include an unknown number of transfers from Nunavut. This change influences frequency counts, rates and trend analysis.

**Source:** Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics and Census and Demographic Statistics Branch, Statistics Canada.

Table 3

### Youth Correctional Service Admissions to Secure and Open Custody, 1998/99 and 1999/00

	Secure custody						Open custody					
	Admissions*			Rates per 10,000 youth**			Admissions*			Rates per 10,000 youth**		
	1999/00	1998/99	percent change for comparable jurisdictions	1999/00	1998/99	percent change for comparable jurisdictions	1999/00	1998/99	percent change for comparable jurisdictions	1999/00	1998/99	percent change for comparable jurisdictions
<b>TOTAL</b>	<b>7,349</b>	<b>7,823</b>	<b>-4</b>	<b>30</b>	<b>32</b>	<b>-3</b>	<b>8,203</b>	<b>8,321</b>	<b>-10</b>	<b>34</b>	<b>34</b>	<b>-10</b>
Newfoundland	160	195	-18	33	39	-15	198	199	-1	41	40	3
Prince Edward Island	30	31	-3	24	25	-4	20	19	5	16	15	5
Nova Scotia	45	62	-27	6	8	-28	364	362	1	48	48	-
New Brunswick <sup>1</sup>	269	279	-4	44	45	-2	183	193	-5	30	31	-4
Quebec	1,285	1,299	-1	23	23	1	1,058	1,160	-9	19	21	-7
Ontario <sup>2</sup>	3,273	3,564	...	36	39	...	4,086	3,839	...	38	42	...
Manitoba	202	238	-15	21	24	-16	377	448	-16	38	46	-17
Saskatchewan	301	332	-9	31	34	-9	344	449	-23	36	46	-23
Alberta	1,005	999	1	38	38	-1	638	703	-9	24	27	-10
British Columbia	649	660	-2	20	21	-2	703	824	-15	22	26	-15
Yukon	36	52	-31	121	174	-30	43	26	65	145	87	66
Northwest Territories <sup>3</sup>	94	112	...	236	284	...	189	99	...	475	251	...
Nunavut	..	...	...	..	...	...	..	...	...	..	...	...

.. figures not available

... figures not applicable

-- amount too small to be expressed

r revised

\* Sentenced admission counts and rates in 1999/00 exclude Nunavut; the percent change over the previous year excludes Ontario, the Northwest Territories and Nunavut.

\*\* Rate calculations based on postcensal estimates as of July 1st, 1999, Demography Division, Census and Demographic Statistics Branch, Statistics Canada.

<sup>1</sup> Due to system problems, all New Brunswick figures in 1999/00 reflect projections based on six months of actual data.<sup>2</sup> Due to a change in local data extraction methods in Ontario during 1999/00 all trend comparisons must be made with caution and the counts treated as indicators.<sup>3</sup> Northwest Territories data prior to 1999/2000 may not be compared with the current year due to the creation of Nunavut on April 1, 1999.

The 1999/00 data include an unknown number of transfers from Nunavut. This change influences frequency counts, rates and trend analysis.

**Source:** Youth Custody and Community Services Survey, Canadian Centre for Justice Statistics and Census and Demographic Statistics Branch, Statistics Canada.



Table 4

## Daily Number of Young Offenders in Custody or on Probation, 1999/00

	Average daily custody counts				Average probation count		
	Secure custody	Open custody	Remand/ temporary detention	Total custody	Incarceration rate /10,000 youth	Total at month-end	Probation rate /10,000 youth
Newfoundland	42	48	13	103	22	969	207
Prince Edward Island <sup>1</sup>	10	9	3	22	18	205	165
Nova Scotia	18	93	23	135	18	1,261	166
New Brunswick <sup>2</sup>	55	76	14	144	24	951	157
Quebec	..	..	..	..	..	..	..
Ontario	724	813	293	1,830	20	19,728	213
Manitoba	..	..	..	..	..	..	..
Saskatchewan	162	121	69	351	37	1,975	207
Alberta	153	165	116	433	16	2,914	112
British Columbia	95	143	91	329	10	3,574	112
Yukon	5	5	4	14	47	96	322
Northwest Territories <sup>3</sup>	22	37	4	63	..	..	..
Nunavut	..	..	..	..	..	..	..

.. figures not available

... figures not applicable

<sup>1</sup> Probation data include alternative measures.<sup>2</sup> Secure custody counts are daily counts while open custody counts are weekly counts. Due to system problems, the probation count is an estimate based on six months of actual data.<sup>3</sup> Northwest Territories data prior to 1999/2000 may not be compared with the current year due to the creation of Nunavut on April 1, 1999.

The 1999/00 data include an unknown number of transfers from Nunavut. This change influences frequency counts, rates and trend analysis.

**Note:** Due to rounding, figures may not add to totals. These data represent yearly averages.**Source:** Corrections Key Indicator Report for Adults and Young Offenders, 1999/00, Canadian Centre for Justice Statistics, Statistics Canada.

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